



Cleveland Board of Zoning Appeals

Monday January 9, 2023 at 9:30 AM

****PLEASE MUTE YOUR MICROPHONE****

Kelley Britt, Board Chair

Elizabeth Kukla, Secretary

Cleveland Board of Zoning Appeals

January 9, 2023

Preamble

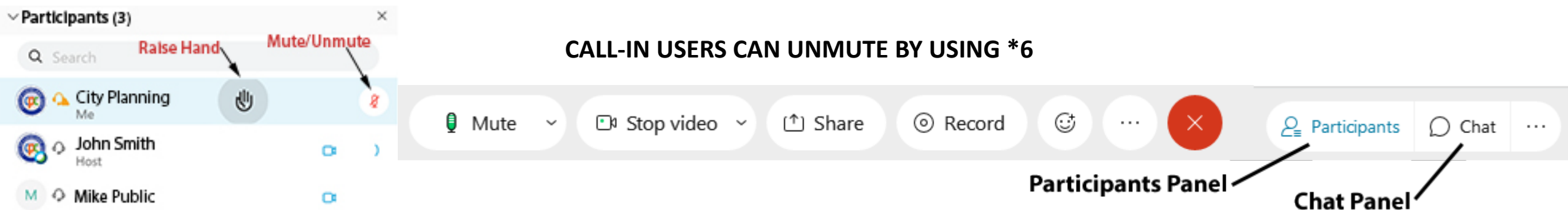
IN COMPLIANCE WITH NOTIFICATION REQUIREMENTS OF THE CITY'S OPEN MEETING LAW, AND SECTION 101.021 OF THE CODIFIED ORDINANCES OF CLEVELAND, OHIO, 1976, NOTICE OF THIS MEETING HAS BEEN PUBLICLY POSTED.

ALL BOARDS AND COMMISSIONS UNDER THE PURVIEW OF THE CITY PLANNING DEPARTMENT CONDUCTS ITS MEETINGS ACCORDING TO ROBERT'S RULES OF ORDER. ACTIONS DURING THE MEETING WILL BE TAKEN BY VOICE VOTE. ABSTENTIONS FROM ANY VOTE DUE TO A CONFLICT OF INTEREST SHOULD BE STATED FOR THE RECORD PRIOR TO THE TAKING OF ANY VOTE.

IN ORDER TO ENSURE THAT EVERYONE PARTICIPATING IN THE MEETING HAVE THE OPPORTUNITY TO BE HEARD, WE ASK THAT YOU USE THE RAISE HAND FEATURE BEFORE ASKING A QUESTION OR MAKING A COMMENT. THE RAISE HAND FEATURE CAN BE FOUND IN THE PARTICIPANTS PANEL ON THE DESKTOP AND MOBILE VERSION AND ACTIVATED BY CLICKING THE HAND ICON. PLEASE WAIT FOR THE CHAIR OR FACILITATOR TO RECOGNIZE YOU AND BE SURE TO SELECT UNMUTE AND ANNOUNCE YOURSELF BEFORE YOU SPEAK.

WHEN FINISHED SPEAKING, PLEASE LOWER YOUR HAND BY CLICKING ON THE RAISE HAND ICON AGAIN AND MUTE YOUR MICROPHONE.

WE WILL ALSO BE UTILIZING THE CHAT FEATURE TO COMMUNICATE WITH PARTICIPANTS. THE CHAT FEATURE CAN BE ACTIVATED BY CLICKING THE CHAT BUTTON LOCATED ON THE BOTTOM OF THE WEBEX SCREEN.



Cleveland Board of Zoning Appeals

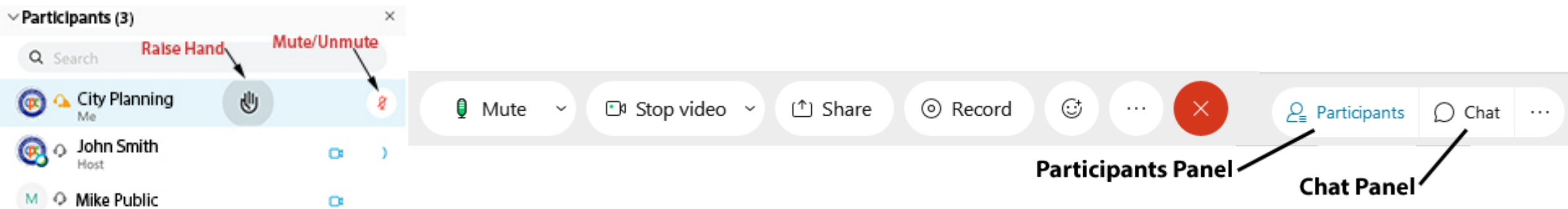
January 9, 2023

Preamble

ALL MEETING ACTIVITY IS BEING RECORDED VIA THE WEBEX PLATFORM.
THESE PROCEEDINGS ARE ALSO BEING LIVE STREAMED VIA YOUTUBE FOR PUBLIC VIEW.
WE HAVE PROVIDED A LINK TO THE MEETING FOR THOSE WHO WISH TO SPEAK ON A PARTICULAR CASE VIA OUR WEBSITE AND EMAIL.

ALL REQUESTS TO SPEAK ON A PARTICULAR MATTER HAVE BEEN CONSIDERED.

WE HAVE ALSO RECEIVED EMAILS FROM THOSE WHO HAVE PROVIDED WRITTEN COMMENT ON A PARTICULAR MATTER.



Cleveland Board of Zoning Appeals

Call to Order & Roll Call



Cleveland Board of Zoning Appeals

Postponements/Withdrawals





POSTPONEMENTS

Calendar No. 22-226:

4750 Hinckley Ave.

Ward 12

Christina McDermott, owner, proposes to erect a 2,776 square foot storage structure for existing greenhouse/warehouse use in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified:

1. Section 337.02 which states a storage structure is not permitted in a One-Family Residential District.
 2. Section 359.01 which states that no enlargement or expansion of a nonconforming use shall be permitted except as a variance under the terms of Chapter 329.
- (Filed December 6, 2022)

Calendar No. 22-228:

4015 Gifford Ave.

Ward 13

Sara Sova, proposes to establish use as a Residential Facility in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states "Residential facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care service to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
 2. Section 343.01(b)(1) which states all uses permitted and as regulated in a Multi-Family District are permitted in a Local Retail Business District. Pursuant to 337.08(g), a Residential Facility use is permitted only when the residential facility is located not less than one thousand (1000) feet from another residential facility.
- Applicant has previously applied for a Residential Facility use at 4100 Gifford Ave., which application has been approved for zoning and will be issued upon successful building code plan review.(Filed December 7, 2022)

Cleveland Board of Zoning Appeals

Public Hearing



Public Hearing

Calendar No. 22-224:

522 East 105. Street

Ward 9

Evergreen Cooperative Laundry, Inc., owner, proposes to erect a 5,140 square foot warehouse addition for a laundry in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.08(b) which states warehouse is not a permitted use in a Multi-Family Residential zoning district. (Filed November 30, 2022)



Public Hearing

Calendar No. 22-224:

522 East 105. Street

Ward 9



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.



HISTORY OF THE PROPERTY





LEGAL STANDARD

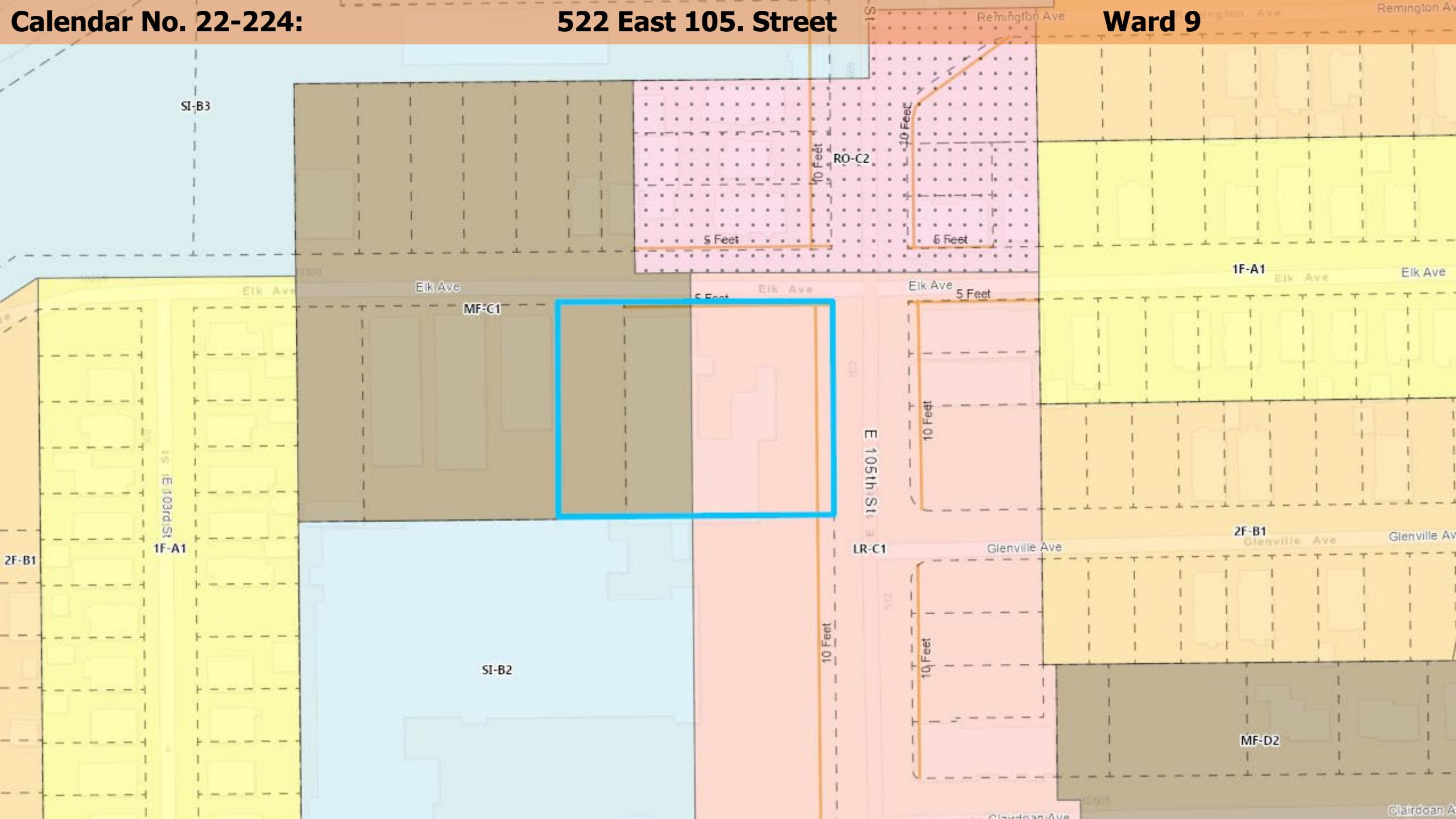
Madam Chair, Members of the Board, Appellant is requesting a use variance from the requirements of the zoning code.

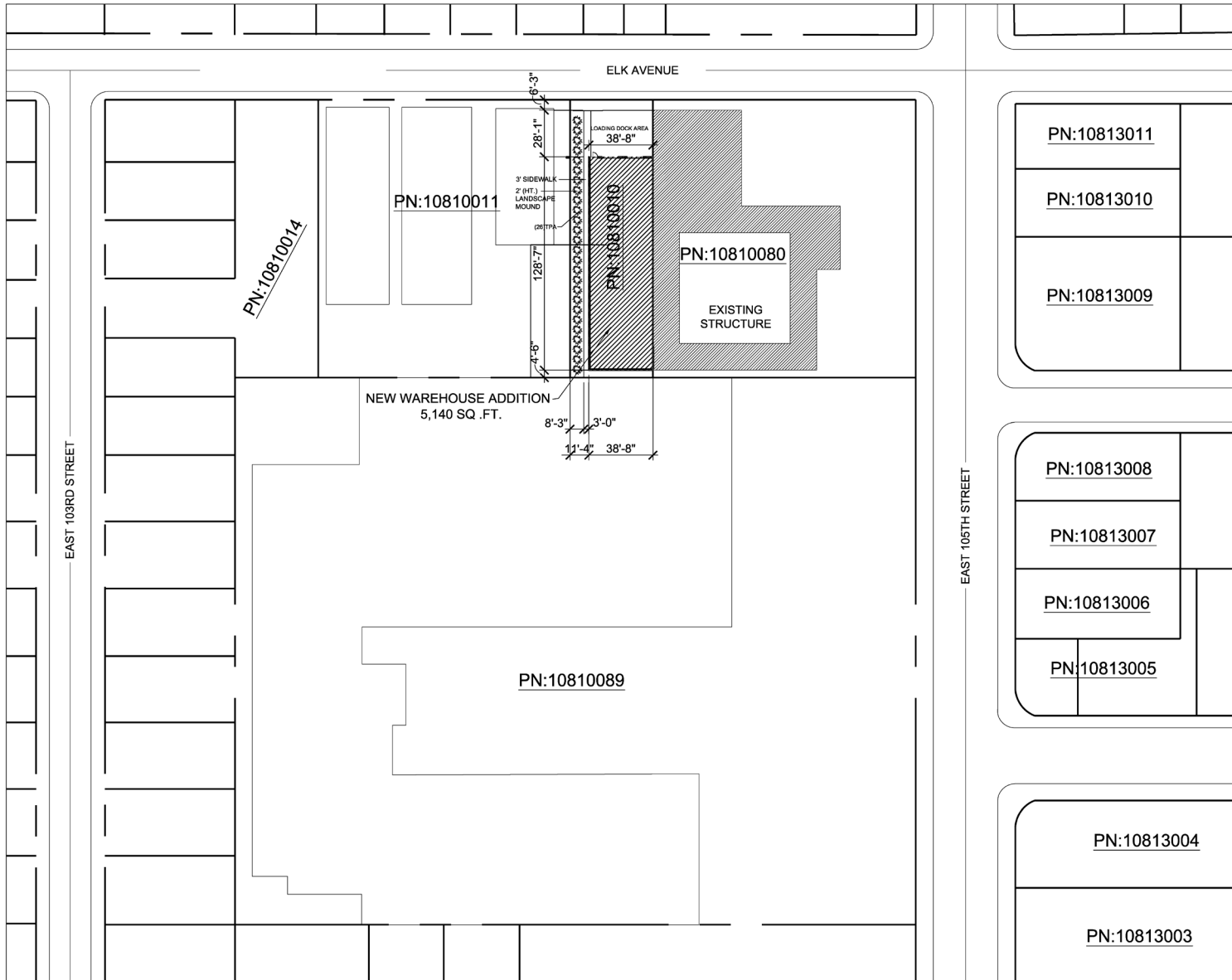
To obtain the use variance, Appellant must prove that denying the request:

1. Will result in an **unnecessary hardship** particular to the property such that there will be no economically feasible use of the property without the variance;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.









PLANT LIST

KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE	WIDTH	COND.	NOTES
TPA	77	THUJA PLICATA	GREEN GIANT	6'-0"	3'-4"	B&B	SPACED AT 6' O.C.

SITE PLAN

SCALE: 1"=30'-0"



GREEN GIANT

CODE REVIEW

CODE INFORMATION :
BUILDING CODE : OBC (2017)
CONSTRUCTION TYPE: V-8

USE GROUP : "S-1" - MODERATE-HAZARD STORAGE/
"F-1" - MODERATE-HAZARD FACTORY
SEPERATED USE
NON- SPRINKLERED
SITE AREA: 34,102 SQ. FT. = .782 AC

EXISTING BUILDING AREA : 11,469 SQ. FT.
NEW ADDITION GROSS AREA : 5,143 SQ. FT.
TOTAL GROSS AREA : 16,612 SQ. FT.

TENANT OCCUPANCY :
NEW WAREHOUSE AREA :
5,143 SQ. FT. @ 500 SQ. FT./PERSON = 11 PERSONS
EXISTING FACTORY AREA :
11,469 SQ. FT. @ 200 SQ. FT./PERSON = 58 PERSONS
MAXIMUM OCCUPANCY : 69 PERSONS

REV.	DATE

LS ARCHITECTS
22086 LORAIN ROAD
FAIRVIEW PARK, OH 44126
PHONE: 216-409-0054 FAX: 440-795-8887



LEON S. SAMPAT
LICENSED 13053
EXPIRATION DATE 12/31/2023

ALTERATIONS FOR:
EVERGREEN LAUNDRY
522 E. 105th AVENUE
CLEVELAND, OH, 44108

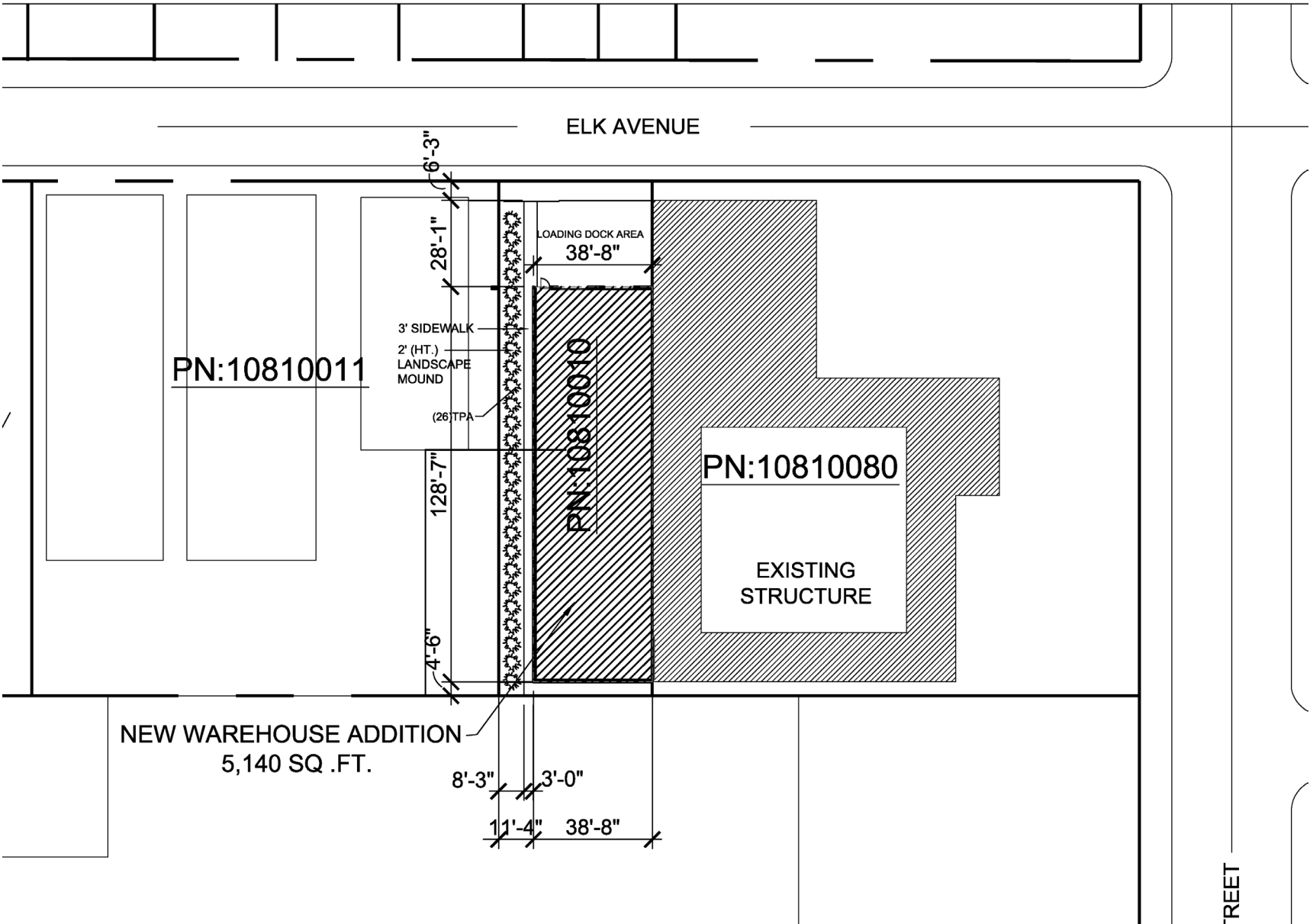
JOB NO: 22-191

DATE: 10.26.2022

ISSUE: PERMIT

SHEET:

SD1.1



Public Hearing

Calendar No. 22-225

1857 Colonnade Rd.

Ward 10

Melissa Price, proposes to establish use as day care for 7-12 children in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.02(g)(3) which states that day care use in a Two-Family Residential district is permitted if located not less than thirty (30) feet from any adjoining premises in a Residence District not used for a similar purpose, and subject to the review and approval of the Board of Zoning Appeals after public notice and public hearing, if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. (Filed December 5, 2022)



Public Hearing

Calendar No. 22-225

1857 Colonnade Rd.

Ward 10



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HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the minimum distance requirements of the zoning code, and approval to operate a daycare in a two-family residential district.

To obtain the area variance, Appellant must prove that denying the request:

1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

The board may approve a daycare use in a residential district if the Board determines that:

1. There is adequate yard space and other safeguards to preserve the character of the neighborhood;
2. The use as a day care is appropriately located and designed; and
3. The use as a day care will meet a community need without adversely affecting the neighborhood.

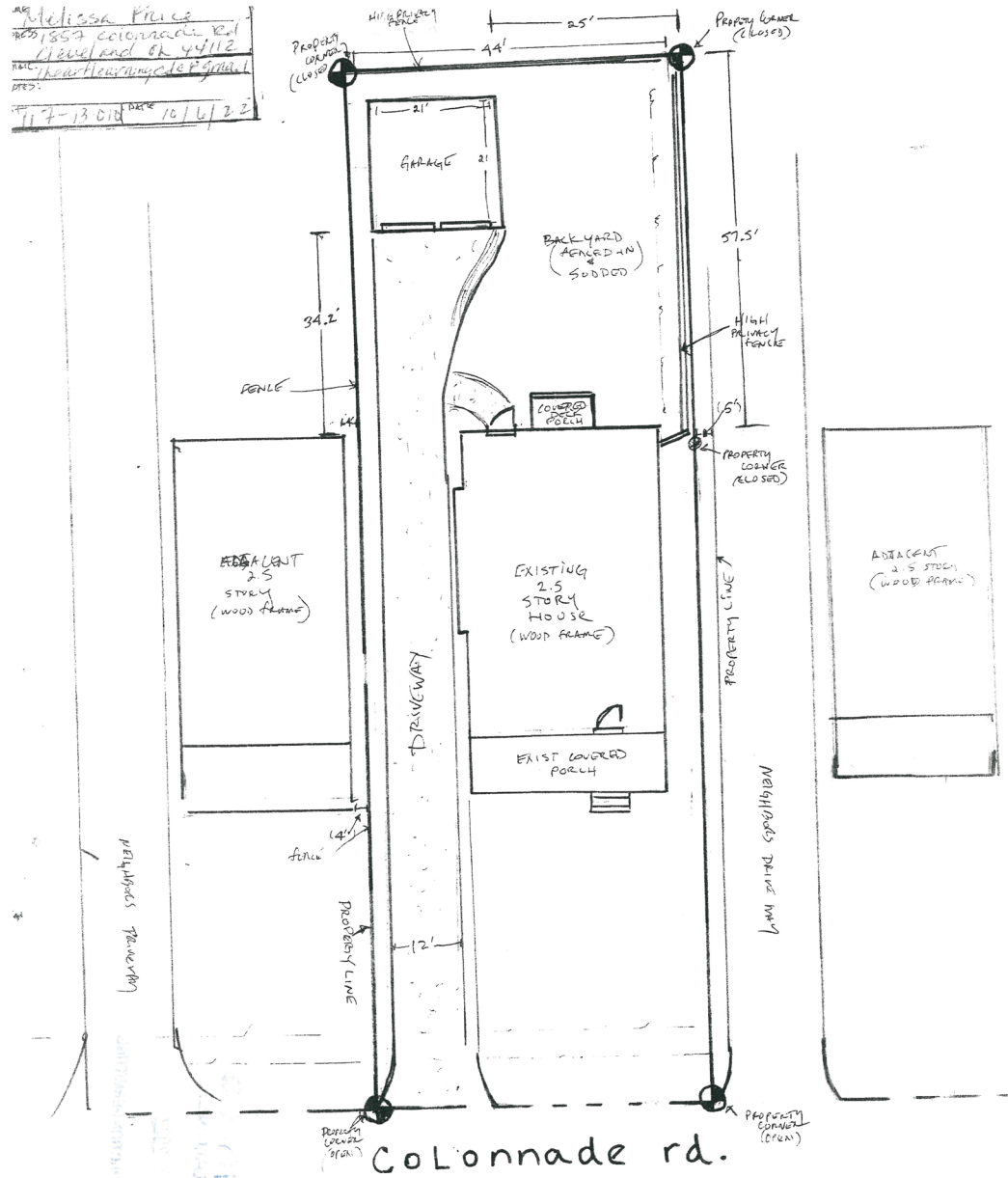



1859





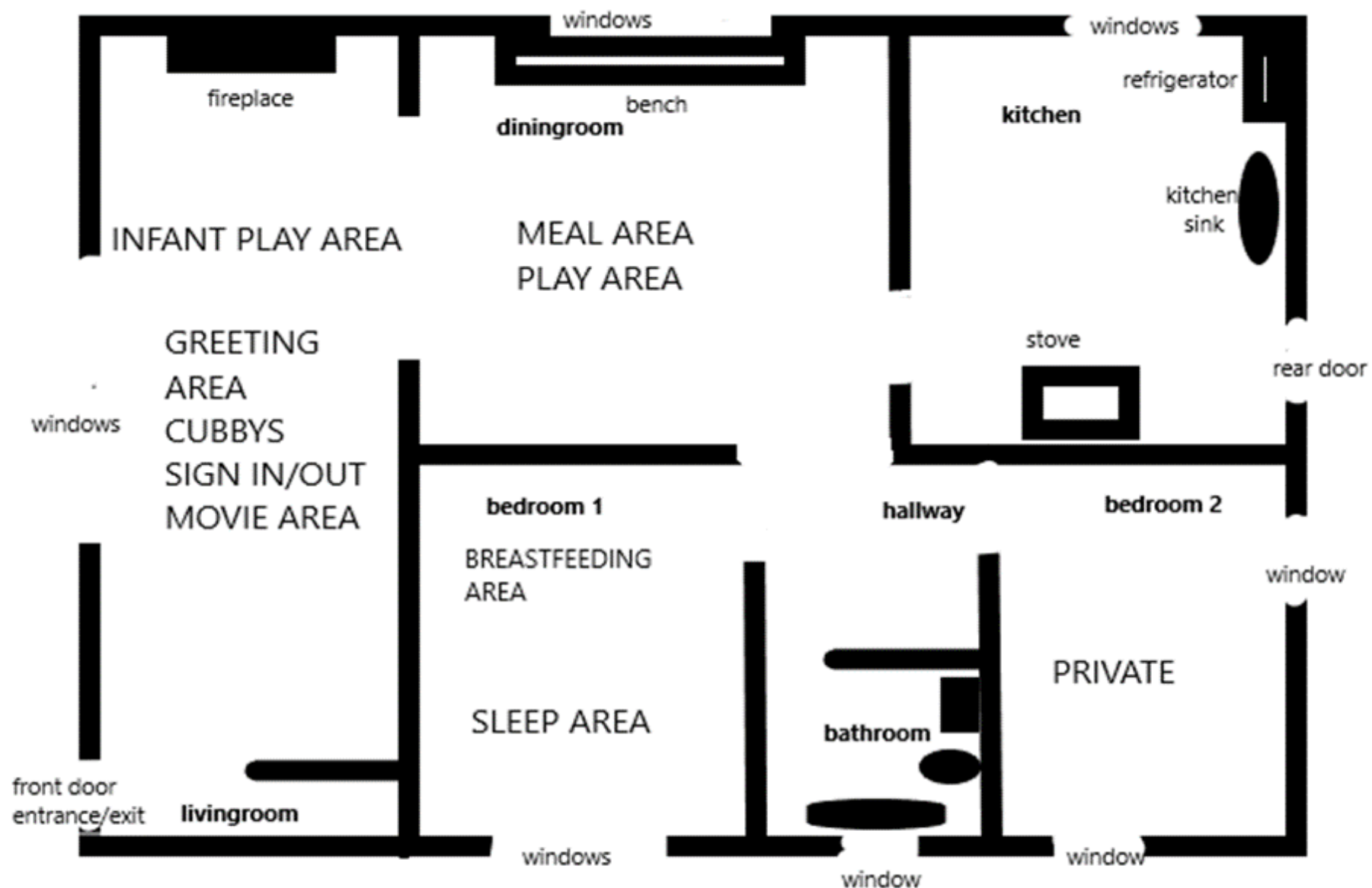
AG Melissa Prince
RES 1857 Colonnade Rd
Cleveland OH 44112
RBL heartbeatingcater@gmail.com
DPS:
117-13010 DSC 10/6/22

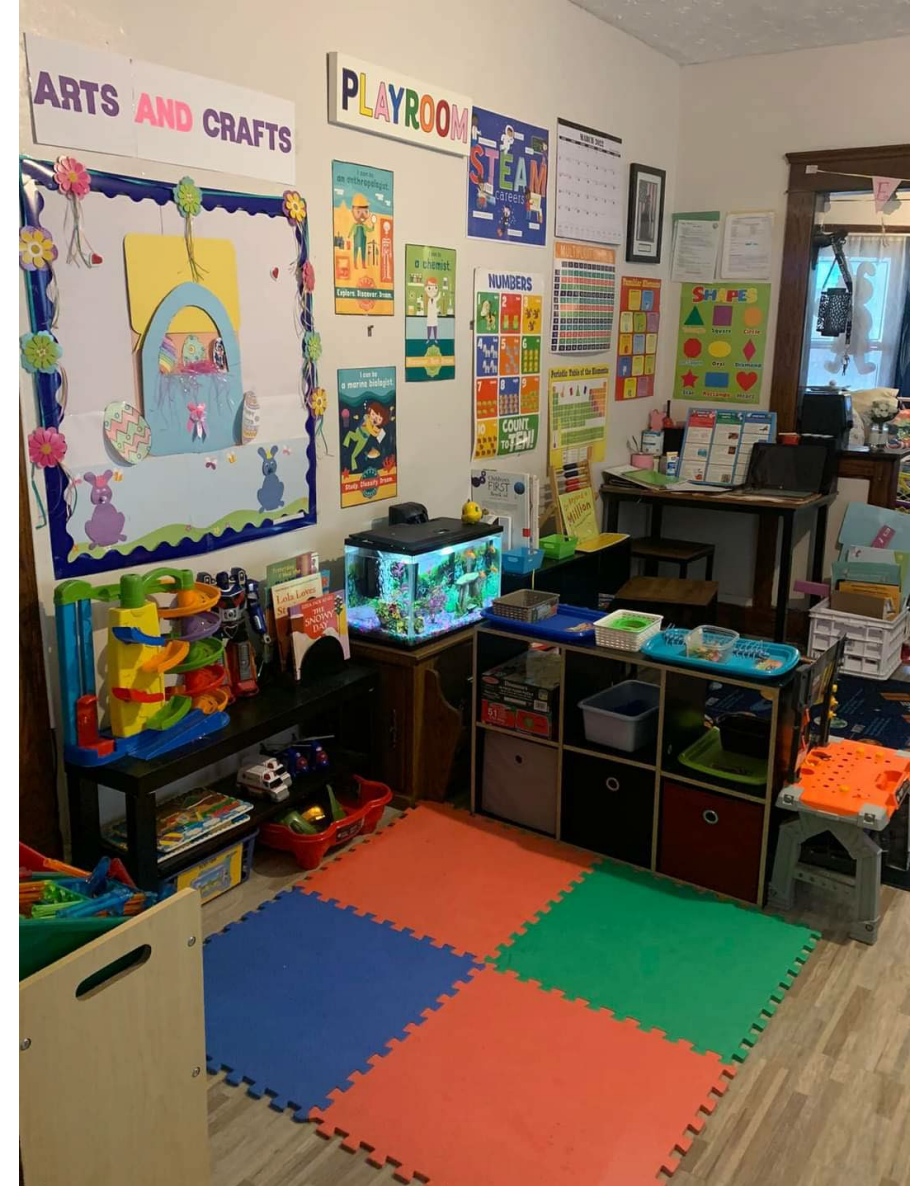


SITE PLAN \rightarrow $\left[\begin{array}{l} 1" (4 \times 5) = 10 \text{ feet} \\ 1 \text{ SQUARE} = 2.5 \text{ feet} \end{array} \right]$ 

1857 COLONNADE RD
CLEVELAND, OH 44112

INDOOR SPACE





Public Hearing

Calendar No. 22-226:

4750 Hinckley Ave.

Ward 12

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- (Filed December 6, 2022)



Public Hearing

Calendar No. 22-226:

4750 Hinckley Ave.

Ward 12



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HISTORY OF THE PROPERTY





LEGAL STANDARD

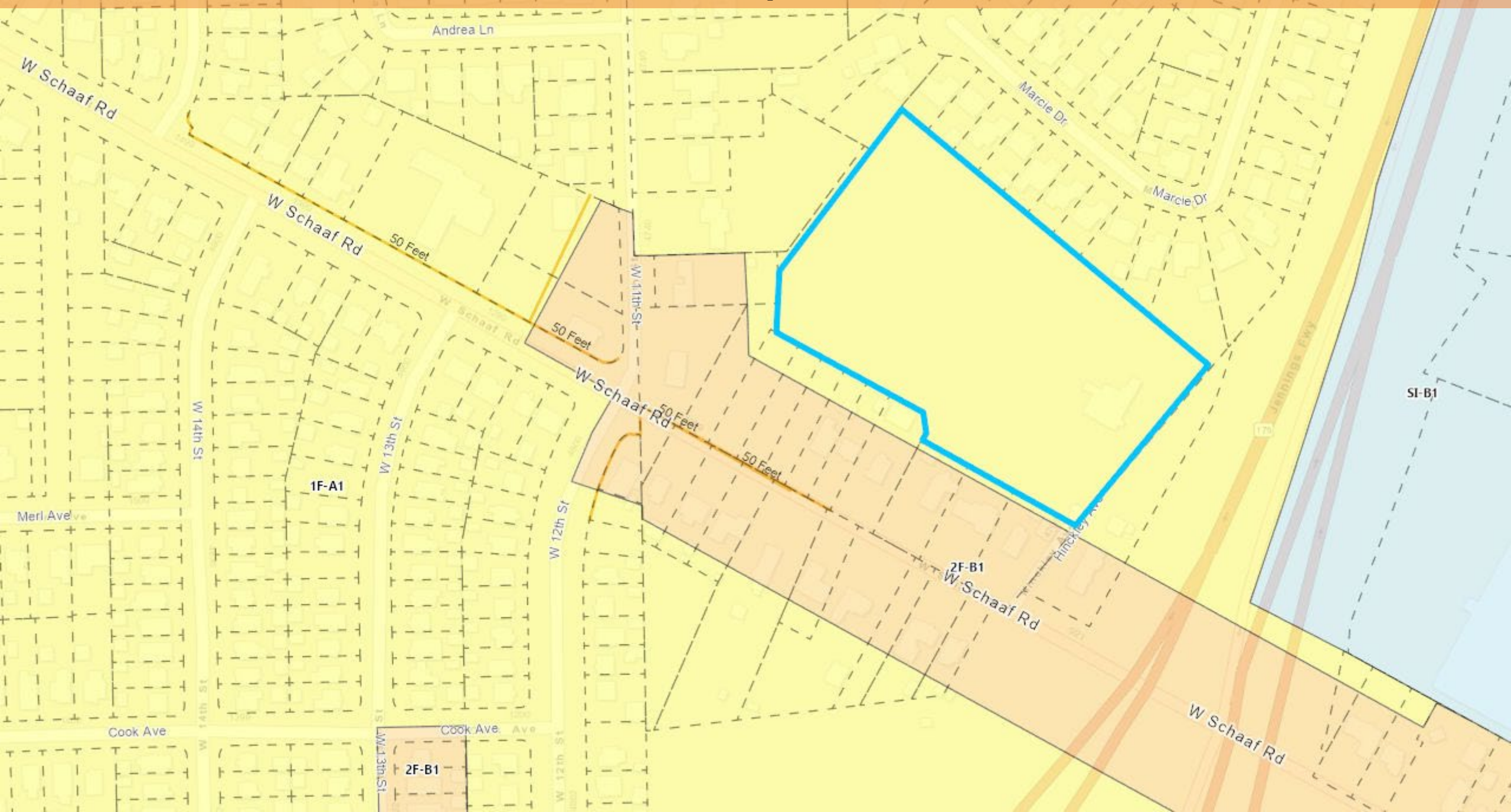
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2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

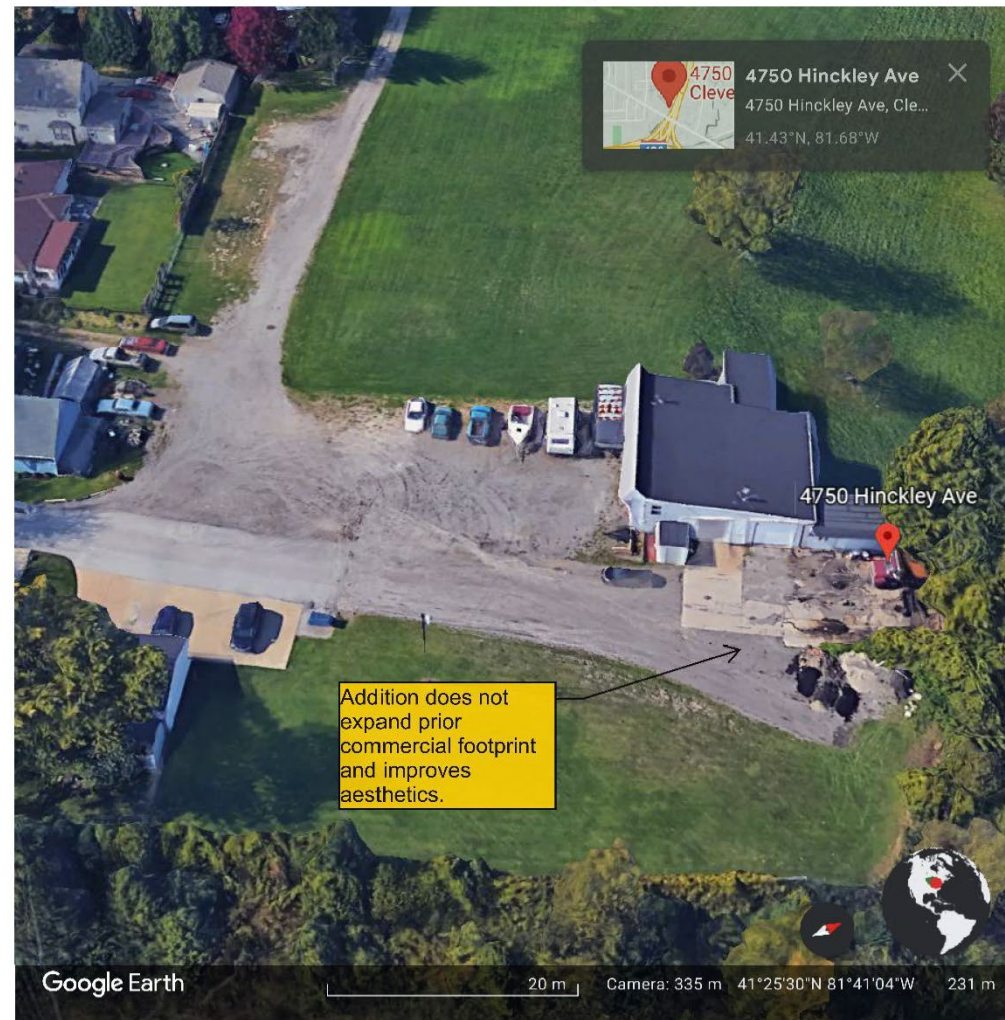




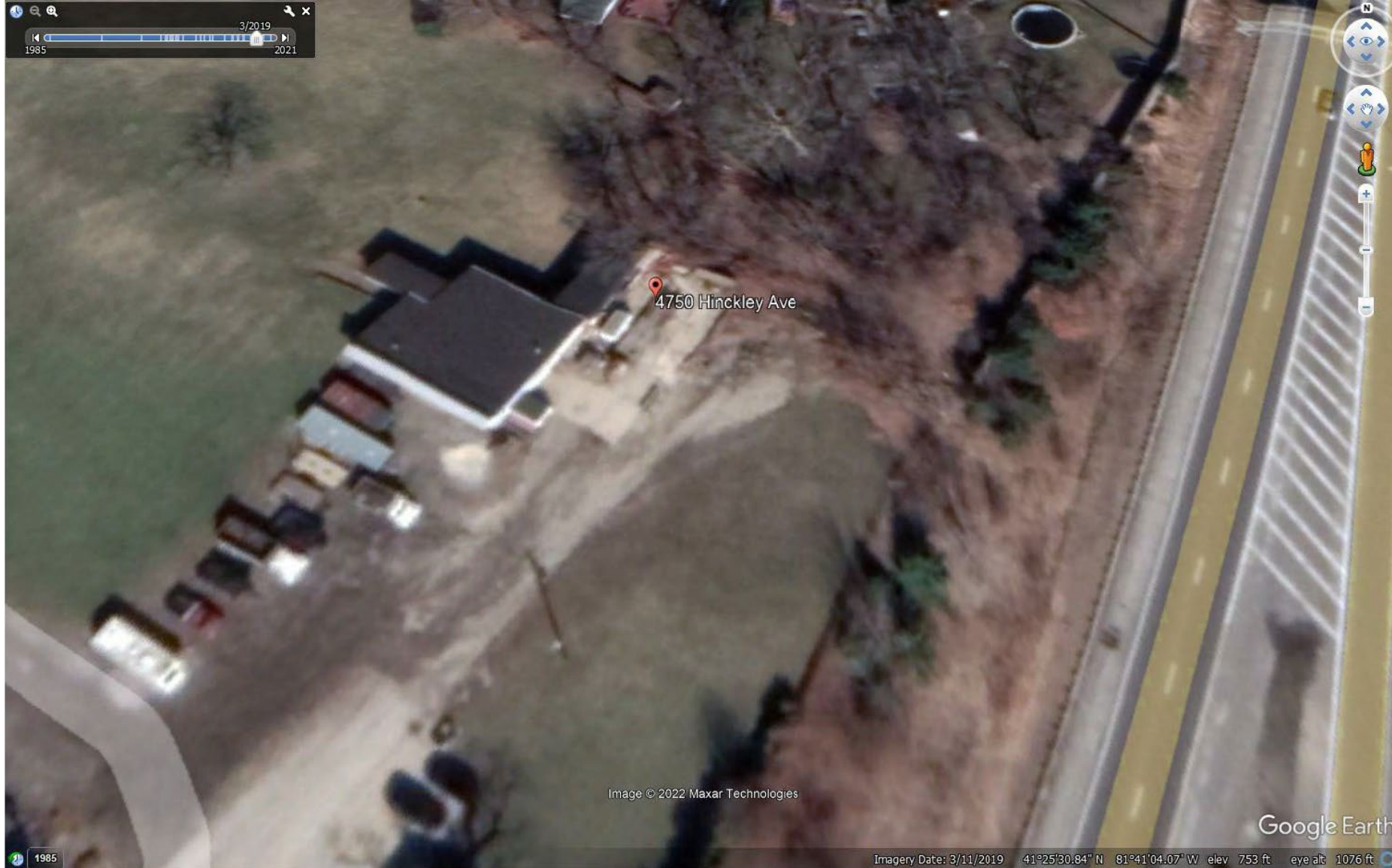




McDermott Trust, 4750 Hinckley Avenue, PPN 010-25-004, BZA22-226 000004







Google Earth from 03/2019 before McDermott Trust's June 2019 ownership.

McDermott Trust, 4750 Hinckley Avenue, PPN 010-25-004, BZA22-226 000007



Google earth 11/2021
image after addition.
Addition maintains the drive
footprint.



OFF MARKET

4750 Hinckley Ave

Cleveland, OH 44109 [Old Brooklyn](#)

🏠 Studio
(on 4.94 acres)

Homes for Sale Near 4750 Hinckley Ave



\$125,000
872 E Dawnwood Dr,
Seven Hills, OH 44131
HOWARD HANNA, MLS NOW



22,999 ↓
🏠 3bd 📏 1,465 sqft
326 Fortune Ave,
arna, OH 44134



\$10,000 ↓
2208 Hurley Ave,
Cleveland, OH 44109
CLASSIC REALTY GROUP, INC., MLS NOW

Local Information

Map

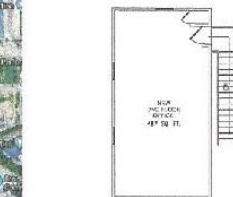
Schools

Shop & Eat



LOCATION MAP

SCALE: NONE



SECOND FLOOR OFFICE

SCALE: 1/8"=1'-0"



OVERALL BUILDING PLAN

SCALE: 1/8"=1'-0"

DRAWING INDEX

- CVR COVER SHEET-CODE DATA, LOCATION MAP, DRAWING INDEX, OVERALL BUILDING PLAN
- A1.1 FLOOR PLANS, DETAILS, PLUMBING DETAILS, DOOR & ROOM FINISH SCHEDULE
- A2.1 FOUNDATION PLANS, CAR PORT FRAMING PLAN
- A3.1 EXTERIOR ELEVATIONS & MATERIAL LEGEND
- A4.1 ROOF FRAMING PLAN, WALL SECTION BUILDING SECTION
- E1.1 LIGHTING/CEILING PLAN, POWER PLAN, PANEL SCHEDULE, ELECTRICAL NOTES, ELECTRICAL SPECIFICATIONS & DETAILS

CIVIL DRAWINGS:

CIVIL DRAWINGS WERE PREPARED UNDER A SEPARATE CONTRACT

C.1 SITE PLAN

CODE DATA

BUILDING CODE: 2017 CHC BUILDING CODE
PLUMBING CODE: 2014 CHC PLUMBING CODE
ELECTRICAL CODE: 2017 CHC ELECTRICAL CODE
MECHANICAL CODE: 2017 CHC MECHANICAL CODE
ACCESSIBILITY CODE: 2010 ADA 2.1 2009

TENANT USE: B (BUSINESS) S-1 (STORAGE)
BUILDING CLASSIFICATION: R, S-1 (MIXED USE, NON SEPARATED)
CONSTRUCTION TYPE: S B - UNPROTECTED

OCCUPANT LOAD:

OFFICE-NEW (B-BUSINESS)
487 S.F./100 S.F. PER OCCUPANT = 5 OCCUPANTS

POLE BARN-NEW (S1-STORAGE)
2,776 S.F./300 S.F. PER OCCUPANT = 10 OCCUPANTS

SUB TOTAL = 15 OCCUPANTS

OFFICE-EXISTING (B-BUSINESS)
379 S.F./100 S.F. PER OCCUPANT = 4 OCCUPANTS

GARAGE/STORAGE-EXISTING (S1-STORAGE)
3,252 S.F./300 S.F. PER OCCUPANT = 11 OCCUPANTS

SUB TOTAL = 15 OCCUPANTS

TOTAL = 30 OCCUPANTS

CAR PORT-NEW (S1-STORAGE)
573 S.F.

SQUARE FOOTAGE:

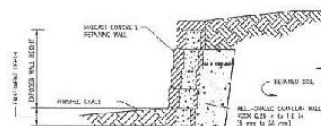
NEW BUILDING 3,263 SQ. FT.
EXISTING BUILDING 3,631 SQ. FT.

TOTAL 6,894 SQ. FT.
(NOT INCLUDING CAR PORT)

EXITS: 2 CLERED
EXITS PROVIDED: 2

FIRE PROTECTION: NONE
REDUCED TENANT SELF: 2 HOUR FIRE RATING

PERMANENT PARCEL NO. 010-25-004



PRECAST CONCRETE RETAINING WALL

SCALE: NONE



REVISIONS

COVER SHEET-CODE DATA,
LOCATION MAP, DRAWING INDEX
OVERALL FLOOR PLAN

INVISIBLE EXCAVATING
POLE BARN/CAR PORT ADDITION
4' CANTILEVER WALL
4' CANTILEVER WALL

David M. Dixon
& Associates
architects



2024 Northrup Road
Farmington Hills, MI 48334
Telephone: 483-855-5555
Fax: 483-855-5555

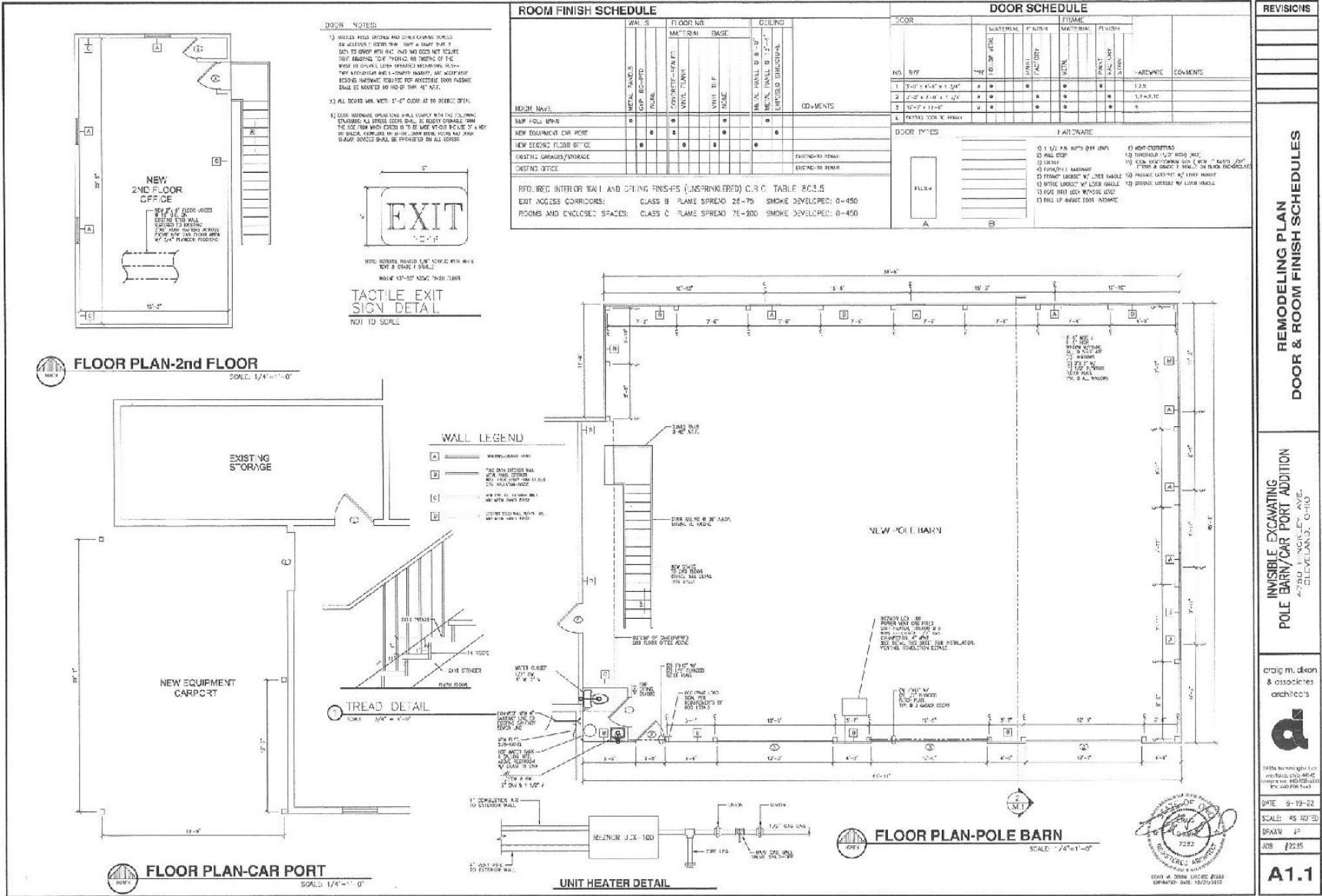
DATE: 6-19-22

SCALE: AS NOTED

DRAWN: J.P.

JO: 0222

CVR



STRUCTURAL SPECIFICATIONS

DESIGN LIVE LOADS

ROADS 20 PSF
 FLOOR (PARTICULARLY TOP FLOOR)
 WIND LOADING 21 PSF

DESIGN STRENGTHS

STONE CONCRETE (28 DAYS) FOOTINGS 2000 PSI
 REINFORCED CONCRETE SLAB ON GRADE 4000 PSI
 REINFORCED CONCRETE SLAB ON GRADE FOR EXTERIOR WALLS 4000 PSI
 REINFORCEMENT BARS (ASTM) 60,000 PSI
 WELDED WIRE MESH 60,000 PSI
 STRUCTURAL STEEL (A572) 24,000 PSI

DESIGN PRESSURES

WIND 80 PSF
 COMBINED 750 PSF

SOIL

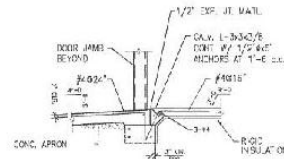
REINFORCED CONCRETE FOOTINGS 3000 PSF
 CONTINUOUS WALL FOOTINGS 3000 PSF

FOUNDATIONS

1. ALL FOUNDATIONS MUST BE SUPPORTED ON UN-DETERMINED SOIL (CAPABILITY OF SOIL DETERMINED BY TESTS WITHOUT ANY SIGNIFICANT SETTLEMENT).
2. PROVIDE (2) #5 CONTINUOUS REBAR IN ALL FOOTINGS.
3. EXTERIOR FOOTING TO BE A MINIMUM OF 3'-6" BELOW FINISHED GRADE.
4. MANUAL WELDING OF REBAR IS NOT PERMITTED.

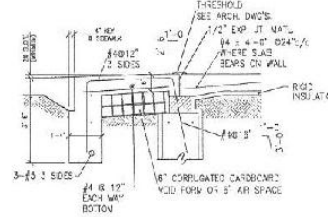
CONCRETE CONSTRUCTION (ALSO SEE OTHERS NOTED)

1. SLABS ON GRADE - 8 X 8-6/10 WELDED WIRE WITH RE-6/10'S.
2. PROVIDE W/8 SUPPORTS WHERE NECESSARY DURING CURING ON.
3. WHEN CONSTRUCTION JOINTS IN CONCRETE ARE REQUIRED, THEY MUST BE PROVIDED TO BE NOT TO EXCEED 12" MAXIMUM JOINT SPACING.
4. PROVIDE W/8 SUPPORTS IN JOINTS IN CONCRETE WHERE NECESSARY TO BE PROVIDED IN A MINIMUM OF 12" MAXIMUM JOINT SPACING.
5. ALL CONCRETE CONSTRUCTION TO BE IN ACCORDANCE WITH THE LATEST AND LOCAL BUILDING CODES.



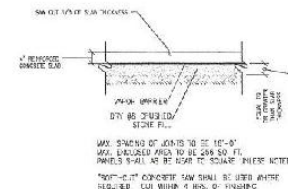
1 TYPICAL OVERHEAD DOOR SILL DETAIL

SCALE: N.T.S.



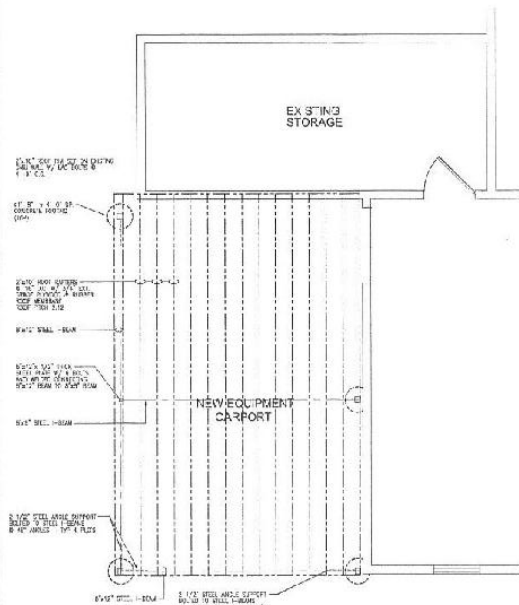
2 TYPICAL FROST SLAB DETAIL

SCALE: N.T.S.



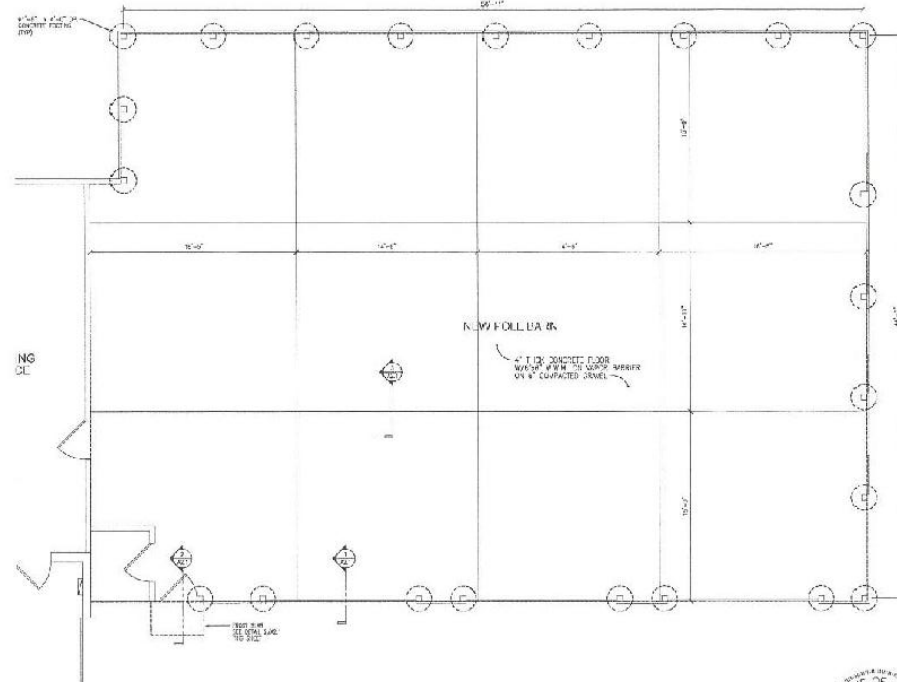
3 TYPICAL SLAB ON GRADE AND SAW CUT JOINT DETAIL

SCALE: N.T.S.



FOUNDATION PLAN/ FRAMING PLAN-CAR PORT

SCALE: 1/4"=1'-0"



FOUNDATION PLAN-POLE BARN

SCALE: 1/4"=1'-0"

REVISIONS

FOUNDATION PLANS

INVISIBLE EXCAVATING POLE BARN/CAR PORT ADDITION

CRAGG M. CLARK & ASSOCIATES ARCHITECTS



4750 HINCKLEY AVENUE
 BOSTON, MA 02118

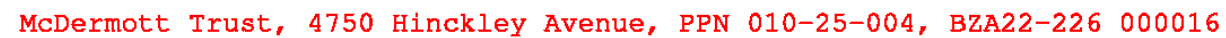
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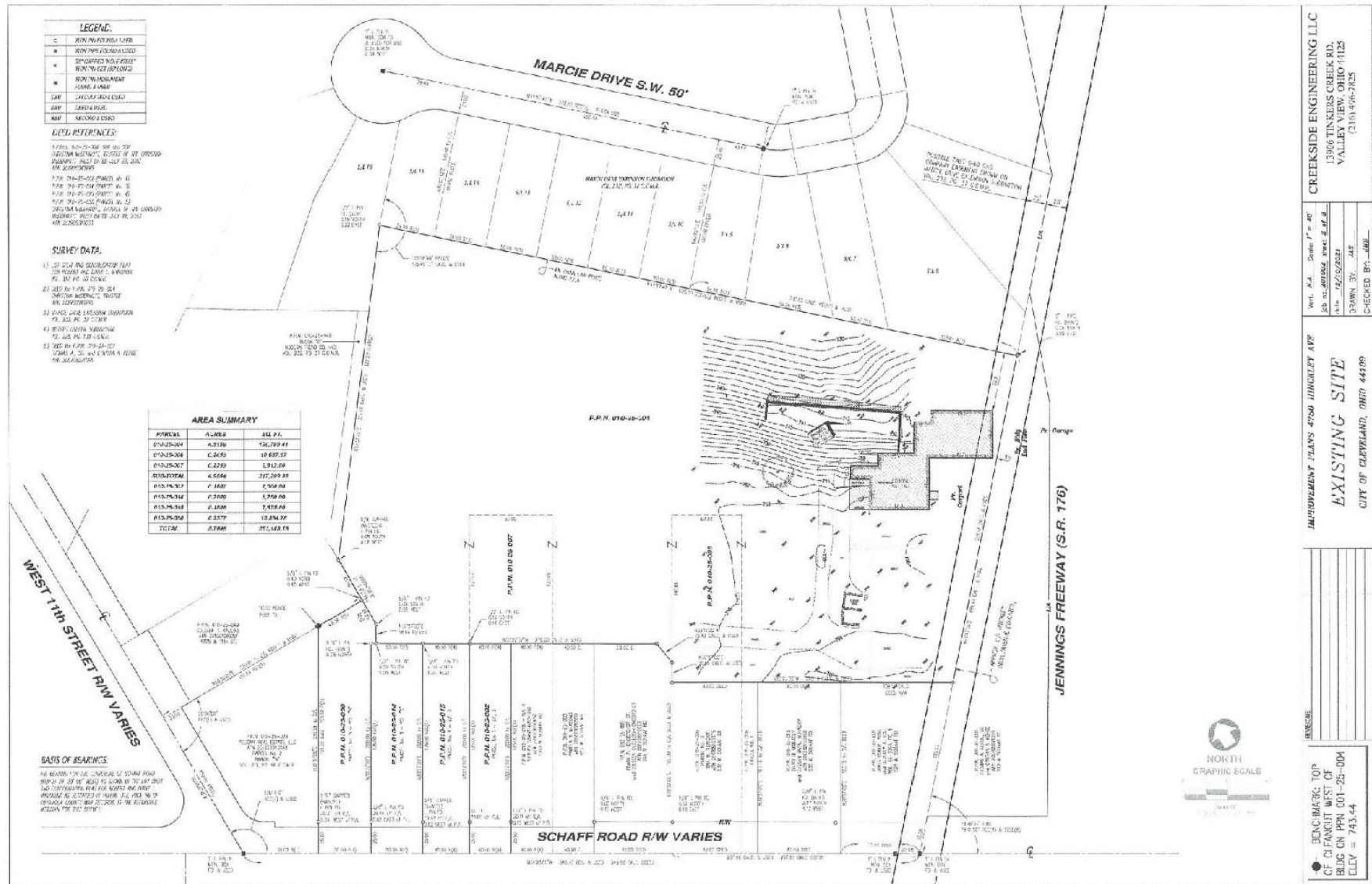
SCALE: AS NOTED

DRAWN: JP

JOB: 22225

A2.1



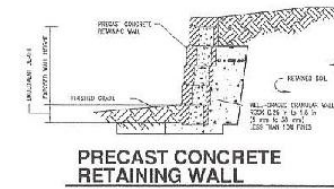
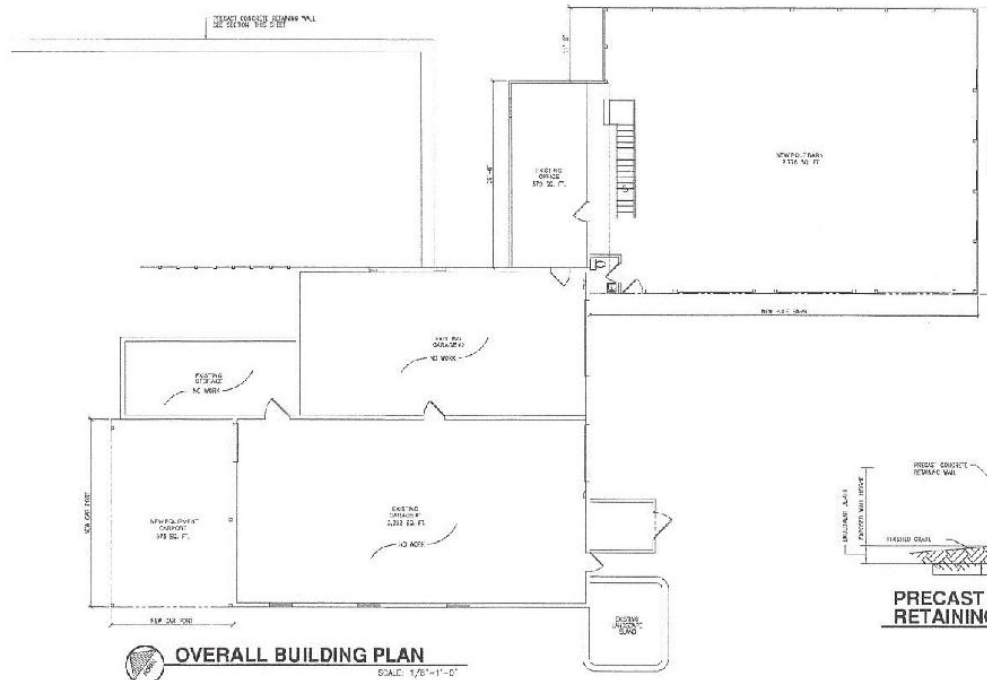




LOCATION MAP
SCALE: NONE



SECOND FLOOR OFFICE
SCALE: 1/8"=1'-0"



DRAWING INDEX

- CVR COVER SHEET-CODE DATA, LOCATION MAP, DRAWING INDEX, OVERALL BUILDING PLAN
- A1.1 FLOOR PLANS, DETAILS, PLUMBING DETAILS, DOOR & ROOM FINISH SCHEDULE
- A2.1 FOUNDATION PLANS, CAR PORT FRAMING PLAN
- A3.1 EXTERIOR ELEVATIONS & MATERIAL LEGEND
- A4.1 ROOF FRAMING PLAN, WALL SECTION BUILDING SECTION
- E1.1 LIGHTING/CEILING PLAN, POWER PLAN, PANEL SCHEDULE, ELECTRICAL NOTES, ELECTRICAL SPECIFICATIONS & DETAILS

CIVIL DRAWINGS:

CIVIL DRAWINGS WERE PREPARED UNDER A SEPARATE CONTRACT

C.1 SITE PLAN

CODE DATA

BUILDING CODE: 2017 OHIO BUILDING CODE
PLUMBING CODE: 2017 OHIO PLUMBING CODE
ELECTRICAL CODE: 2017 OHIO ELECTRICAL CODE
MECHANICAL CODE: 2017 OHIO MECHANICAL CODE
ACCESSIBILITY CODE: CC A117.1 2009

TENANT USE: S (BUSINESS) S-1 (STORAGE)
BUILDING CLASSIFICATION: S, S-1 (MIXED USE, NON SEPARATED)
CONSTRUCTION TYPE: S B - UNPROTECTED

OCCUPANT LOAD:

OFFICE-NEW (S-BUSINESS)
487 S.F./100 S.F. PER OCCUPANT = 5 OCCUPANTS

POLE BARN-NEW (S1-STORAGE)
2,776 S.F./300 S.F. PER OCCUPANT = 10 OCCUPANTS

SUB TOTAL = 15 OCCUPANTS

OFFICE-EXISTING (S-BUSINESS)
579 S.F./100 S.F. PER OCCUPANT = 6 OCCUPANTS

DRAMA/STORAGE-EXISTING (S1-STORAGE)
3,252 S.F./300 S.F. PER OCCUPANT = 11 OCCUPANTS

SUB TOTAL = 16 OCCUPANTS

TOTAL = 31 OCCUPANTS

CAR PORT-NEW (S1-STORAGE)
573 S.F.

EXISTING CONDITIONS:

NEW BUILDING: 3,263 SQ. FT.
EXISTING BUILDING: 3,631 SQ. FT.

TOTAL: 6,894 SQ. FT.
(NOT INCLUDING CAR PORT)

EXITS PROVIDED: 2
EXITS PROVIDED: 2

FIRE PROTECTION: NONE
FIRE PROTECTION: NONE

PERMANENT PARCEL NO. 010-25-004

REVISIONS

COVER SHEET-CODE DATA,
LOCATION MAP, DRAWING INDEX
OVERALL FLOOR PLAN

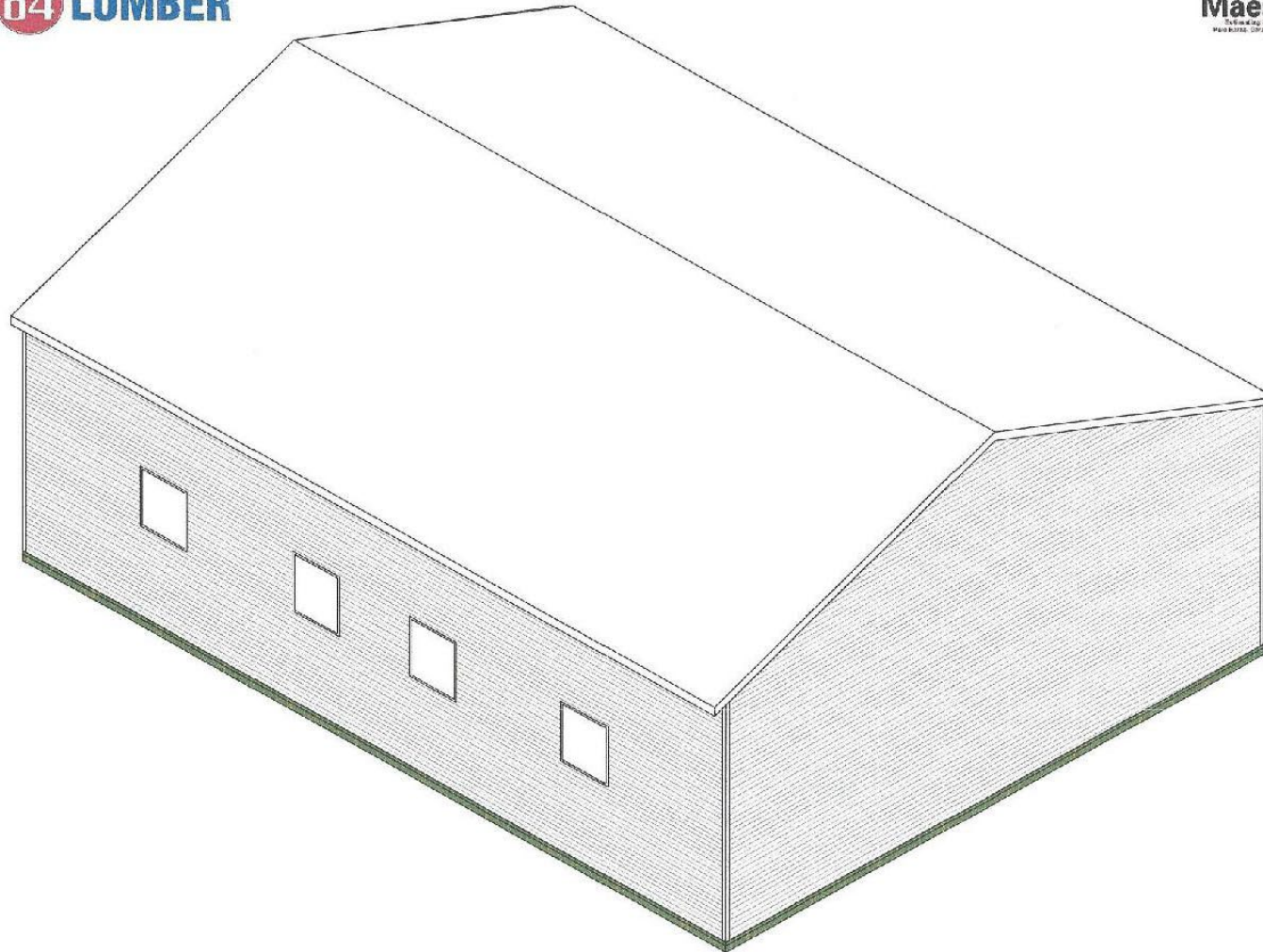
IN/SITE EXCAVATING
POLE BARN/CAR PORT ADDITION
4750 HINCKLEY AVE.
CINCINNATI, OH 45240

CHRIS M. JAMES
& ASSOCIATES
ARCHITECTS



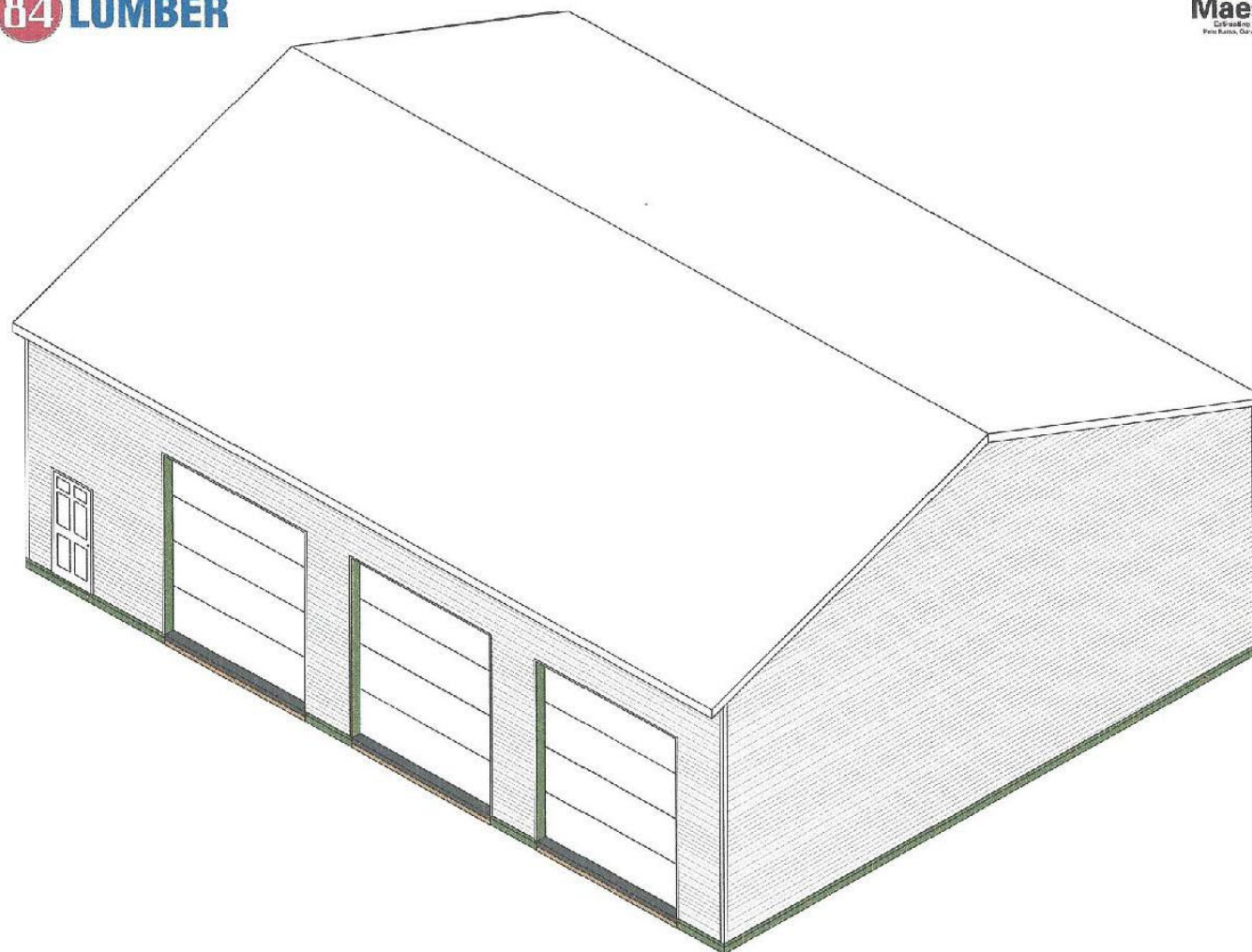
DATE: 6-16-22
SCALE: AS NOTED
DRAWN: J.P.
COT: \$2725

CVR



Customer
Estimate Number: 11685
11/8/2022

McDermott Trust, 4750 Hinckley Avenue, PPN 010-25-004, BZA22-226 000027

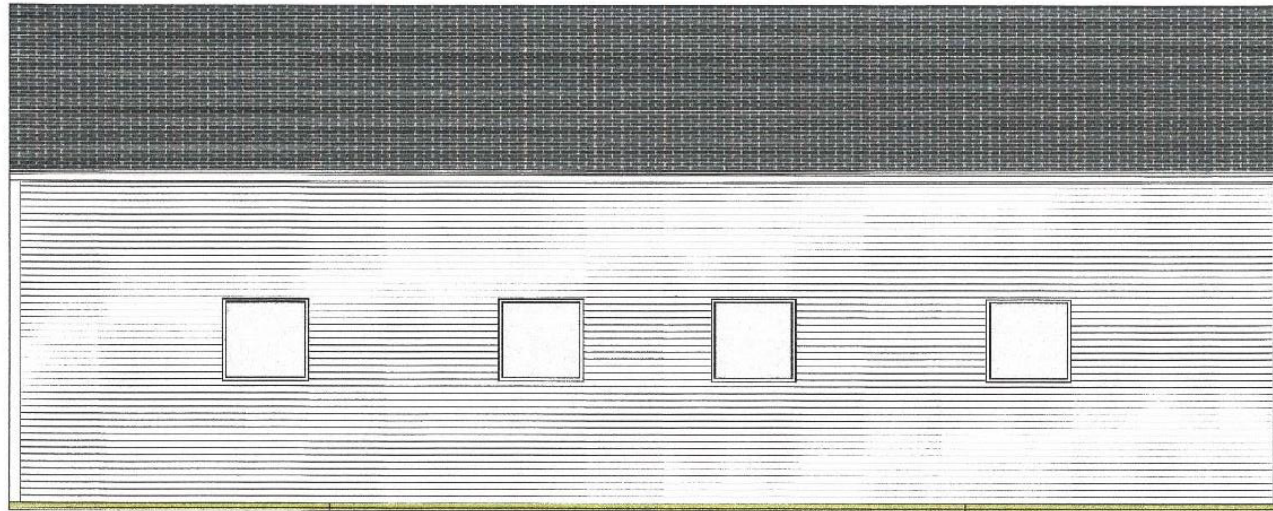


Customer
Estimate Number: 11585
11/9/2022

McDermott Trust, 4750 Hinckley Avenue, PPN 010-25-004, BZA22-226 000028



EAST SIDE-EAVE SIDE 2 ELEVATION



Client:
Estimate Number: 11685
11/8/2022



WEST SIDE-EAVE SIDE 1 ELEVATION



Customer
Estimate Number: 11685
11/6/2022

McDermott Trust, 4750 Hinckley Avenue, PPN 010-25-004, BZA22-226 000030













SITE PLAN/ZONING APPROVAL NOTICE

Examined by: Chuk Okoye

Date: 11/12/2021

Contact: BRIAN MCDERMOTT

Contact Address: 4750 HINCKLEY AVE

Owner: MCDERMOTT, CHRISTINA -TRS

Owner Address: 6531 HILLSIDE RD

Location: 4750 Hinckley Industrial Pkwy

Application No.: B21029769

Zoning Use:

Area:

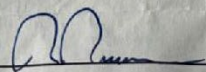
Height:

Secondary Zoning:

Attn: BRIAN MCDERMOTT

Re: POLE BARN

The site plan application for the premises listed above is **approved**. At this time, if you wish to apply for the required Building Permit for the project, you must complete the Building Application in Room 505, Cleveland City Hall. Unless they have already been submitted, at least 5 copies of any required construction documents are to be submitted with the application, and there will be a separate plan processing fee due at the time of submission. You must file the Building Permit Application within 60 days of the date of this site plan approval letter. After 60 days, this site approval is null and void, and will be discarded. If you have any questions, contact the Department of Building and Housing at 216-664-2910.


Zoning Administrator

Cc: . . .

Frank Hendershot Sr. & Colleen Quellos-Hendershot
10603 Windham Dr.
Parma, OH 44130
Wednesday, January 04, 2023

Board of Zoning Appeals
601 Lakeside Ave.
Cleveland, Ohio 44114

Phone: 216-664-2580 Email: boardofzoningappeals@clevelandohio.gov
RE: 4750 Hinckley Ave.

To whom it may concern:

My wife and I own the property located at 946 West Schaaf Rd. Cleveland Ohio. Our son and his family reside in the home. It was purchased because of the neighborhood and the beautiful scenery and safety of the location. We are opposed to having a more anymore units built behind our home.

Sincerely,
Frank Hendershot Sr. & Colleen Quellos Hendershot

Public Hearing



Calendar No. 22-228:

4015 Gifford Ave.

Ward 13

Sara Sova, proposes to establish use as a Residential Facility in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states "Residential facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care service to any of the following: (a) one (1) or two (2) unrelated persons with mental illness; (b) one (1) or two (2) unrelated adults who are receiving residential state supplement payments as defined in the Ohio Revised Code; or (c) three (3) to sixteen (16) unrelated adults.
 2. Section 343.01(b)(1) which states all uses permitted and as regulated in a Multi-Family District are permitted in a Local Retail Business District. Pursuant to 337.08(g), a Residential Facility use is permitted only when the residential facility is located not less than one thousand (1000) feet from another residential facility.
- Applicant has previously applied for a Residential Facility use at 4100 Gifford Ave., which application has been approved for zoning and will be issued upon successful building code plan review.(Filed December 7, 2022)



Public Hearing

Calendar No. 22-228:

4015 Gifford Ave.

Ward 13



SWEARING IN ALL WHO ARE PRESENT FOR THIS CASE:

DO YOU SWEAR OR AFFIRM THAT THE TESTIMONY YOU ARE ABOUT TO GIVE
IS THE WHOLE TRUTH AND NOTHING BUT THE TRUTH?

Please Raise Your Hand.
Reply with I DO, YOUR NAME and YOUR ADDRESS.



HISTORY OF THE PROPERTY





LEGAL STANDARD

Madam Chair, Members of the Board, Appellant is requesting an area variance from the minimum distance requirements of the zoning code.

To obtain the area variance, Appellant must prove that denying the request:

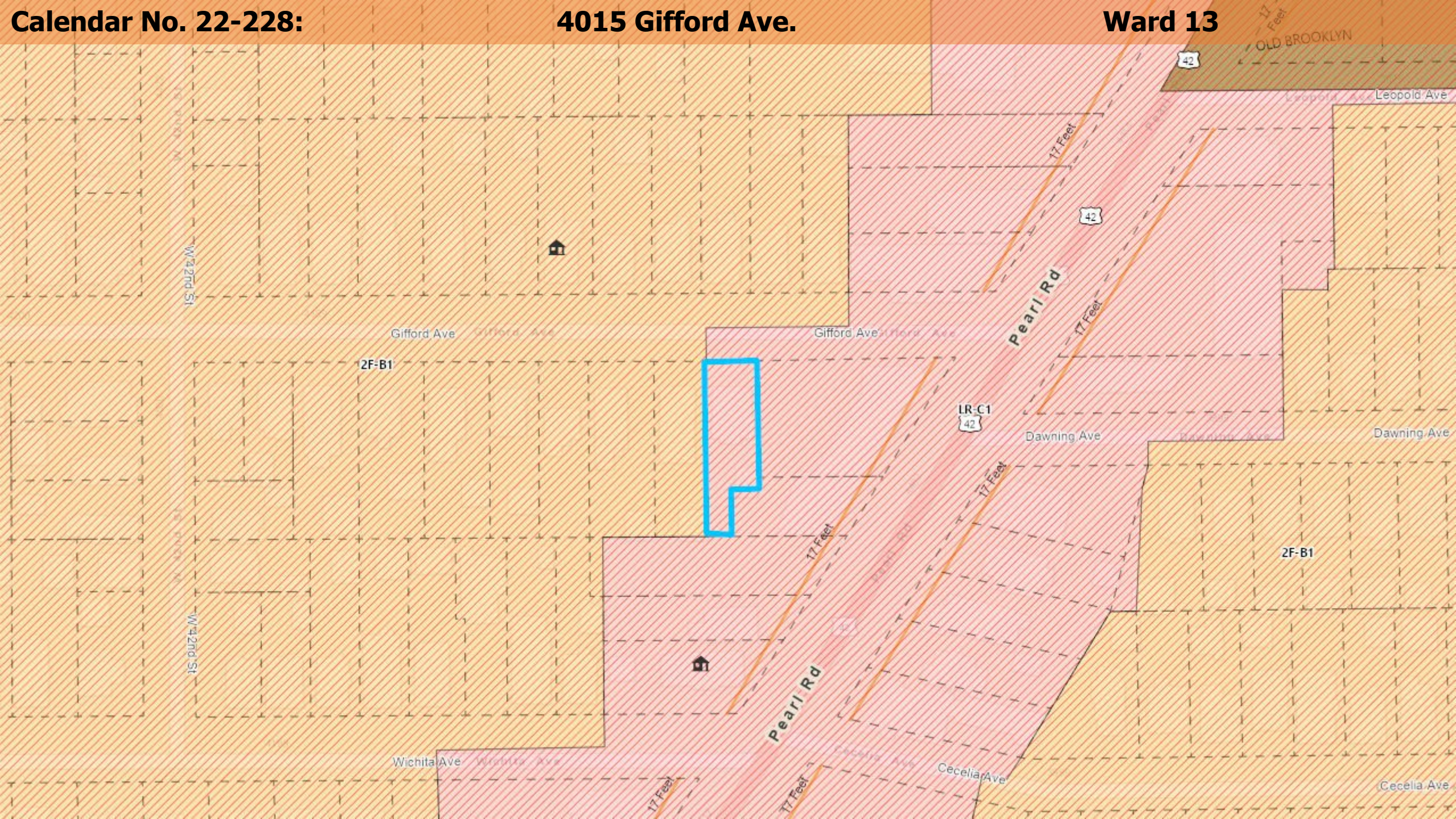
1. Will create a **practical difficulty** not generally shared by other land or buildings in the same district;
2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.



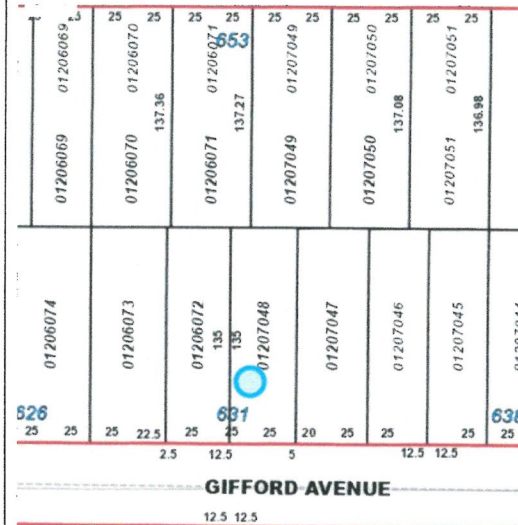
nue

Gifford Avenue

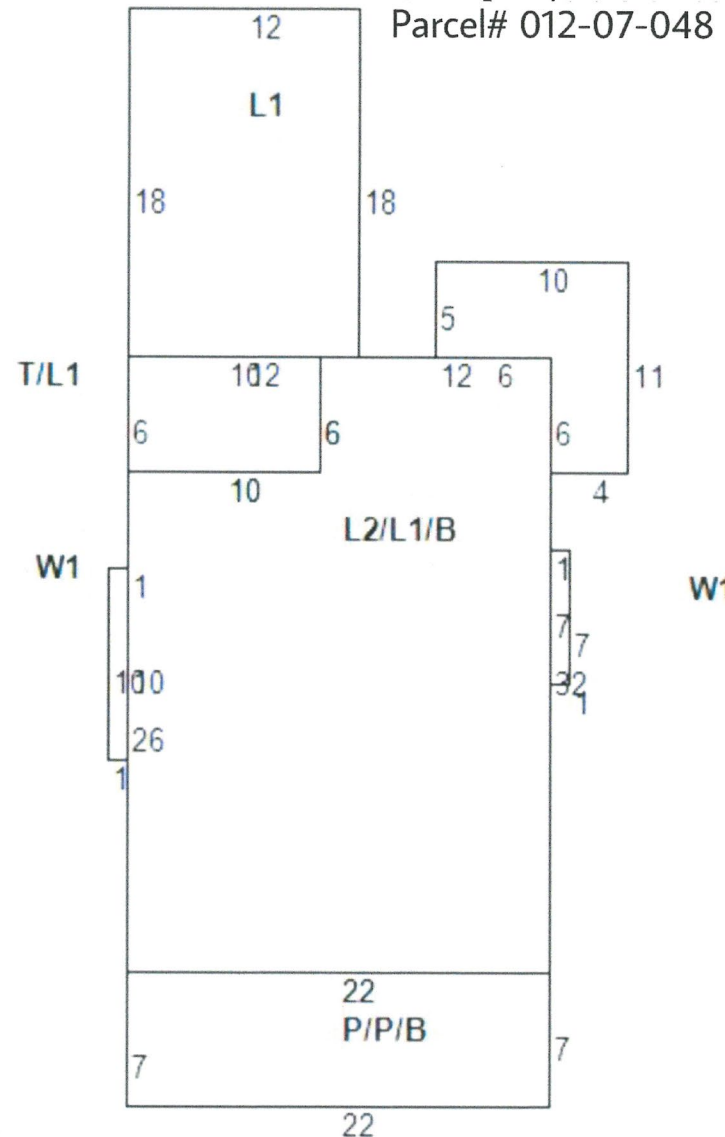




SITE PLAN



Parcel# 012-07-048



PER CITY OF
CLEVELAND

Project: Adult Care Facility
Floor Plan Revision

Location: 4100 Gifford Ave.
Cleveland, Oh 44109

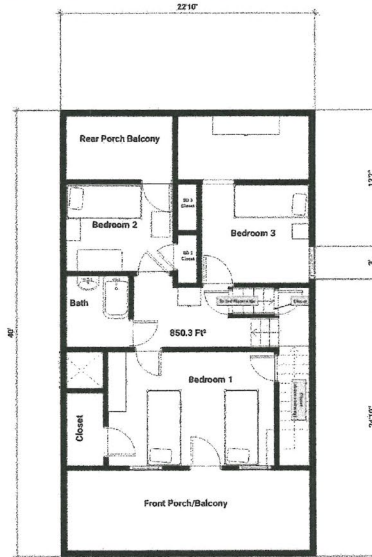
Scope: Revise floor plans for
compliance and new
occupancy permit. Plans
should be drawn to scale of
architectural quality.

Client: Sally~Ann Adult Care
c/o Sarah A. Sova
6096 Big Creek
Parma Hts., Oh 44130

Notes:
1. Plans should be drawn to scale of
architectural quality per 2019 Ohio
Residential Building Code and City
of Cleveland Ordinances. RCO
106.1.3(1-9)

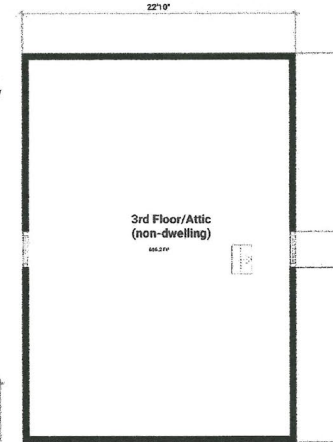
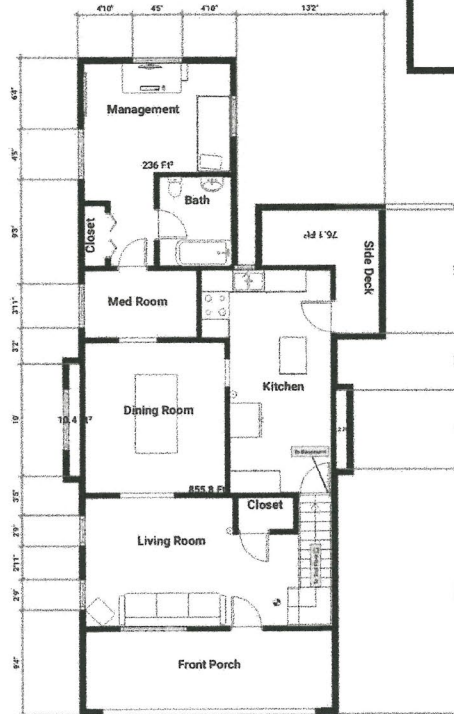
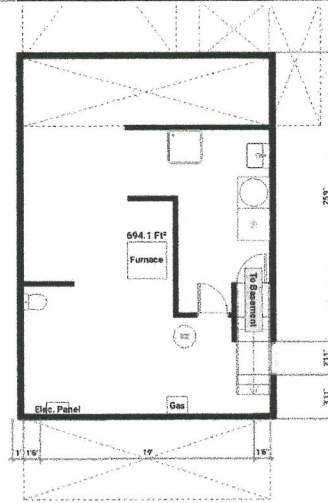
Draftsman: Jarrel Finney
of ENTrepneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
216-732-0756
enthustle@gmail.com

Floor Plan Layout



*All bedroom windows meet 5.0 sqft for first floor and 5.7 sqft. for second floor per R310.1 thru R310.1.4

*Smoke Detector and Carbon Monoxide alarm requirements present per R314.1 & R315.1.



PER CITY OF
CLEVELAND

Project: Adult Care Facility
Floor Plan Revision

Location: 4100 Gifford Ave.
Cleveland, Oh 44109

Scope: Revise floor plans for compliance and new occupancy permit. Plans should be drawn to scale of architectural quality.

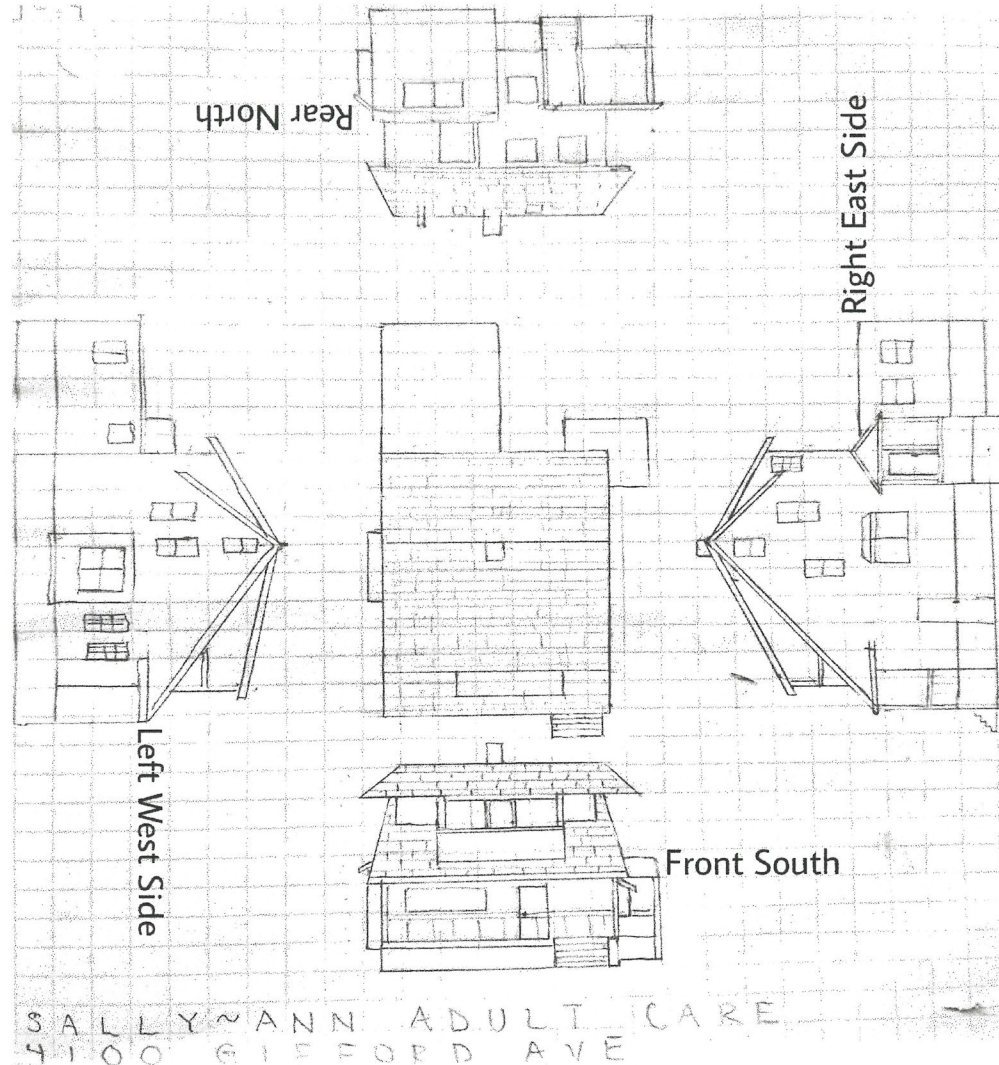
Client: Sally~Ann Adult Care
c/o Sarah A. Sova
6096 Big Creek
Parma Hts., Oh 44130

Notes:

1. Plans should be drawn to scale of architectural quality per 2019 Ohio Residential Building Code and City of Cleveland Ordinances. RCO 106.1.3(1-9)

Draftsman: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
216-732-0756
enthustle@gmail.com

Elevation View



PER CITY OF
CLEVELAND

Project: Adult Care Facility
Floor Plan Revision

Location: 4100 Gifford Ave.
Cleveland, Oh 44109

Scope: Revise floor plans for
compliance and new
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Client: Sally~Ann Adult Care
c/o Sarah A. Sova
6096 Big Creek
Parma Hts., Oh 44130

Notes:

1. Plans should be drawn to scale of
architectural quality per 2019 Ohio
Residential Building Code and City
of Cleveland Ordinances. RCO
106.1.3(1-9)

Draftsman: Jarrel Finney
of ENTrepreneur Hustle LLC
Realestate & Property Solutions
Principal: DHC Architects & Planners
216-732-0756
enthustle@gmail.com

Public Hearing

Calendar No. 22-230

6522-6524 St. Clair Ave.

Ward 7

C.C.C. 3Corp., proposes to establish a residential facility for female emancipated youths ages 17-23 in a C1 Residence Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.571 which states that "Residential facility" means a publicly or privately operated home or facility, licensed pursuant to state law, that provides accommodations, supervision, and personal care services.... For three (3) to sixteen (16) unrelated adults; proposed five (5) residents.
2. Section 337.08(g) which states Residential facilities are permitted in the use district if not within 1000 feet of the same use; the proposed facility is within 1000 feet of an established residential facility at 1118 E. 63rd St., (63rd St Home). (Filed December 12, 2022)



Public Hearing

Calendar No. 22-230

6522-6524 St. Clair Ave.

Ward 7



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HISTORY OF THE PROPERTY





LEGAL STANDARD

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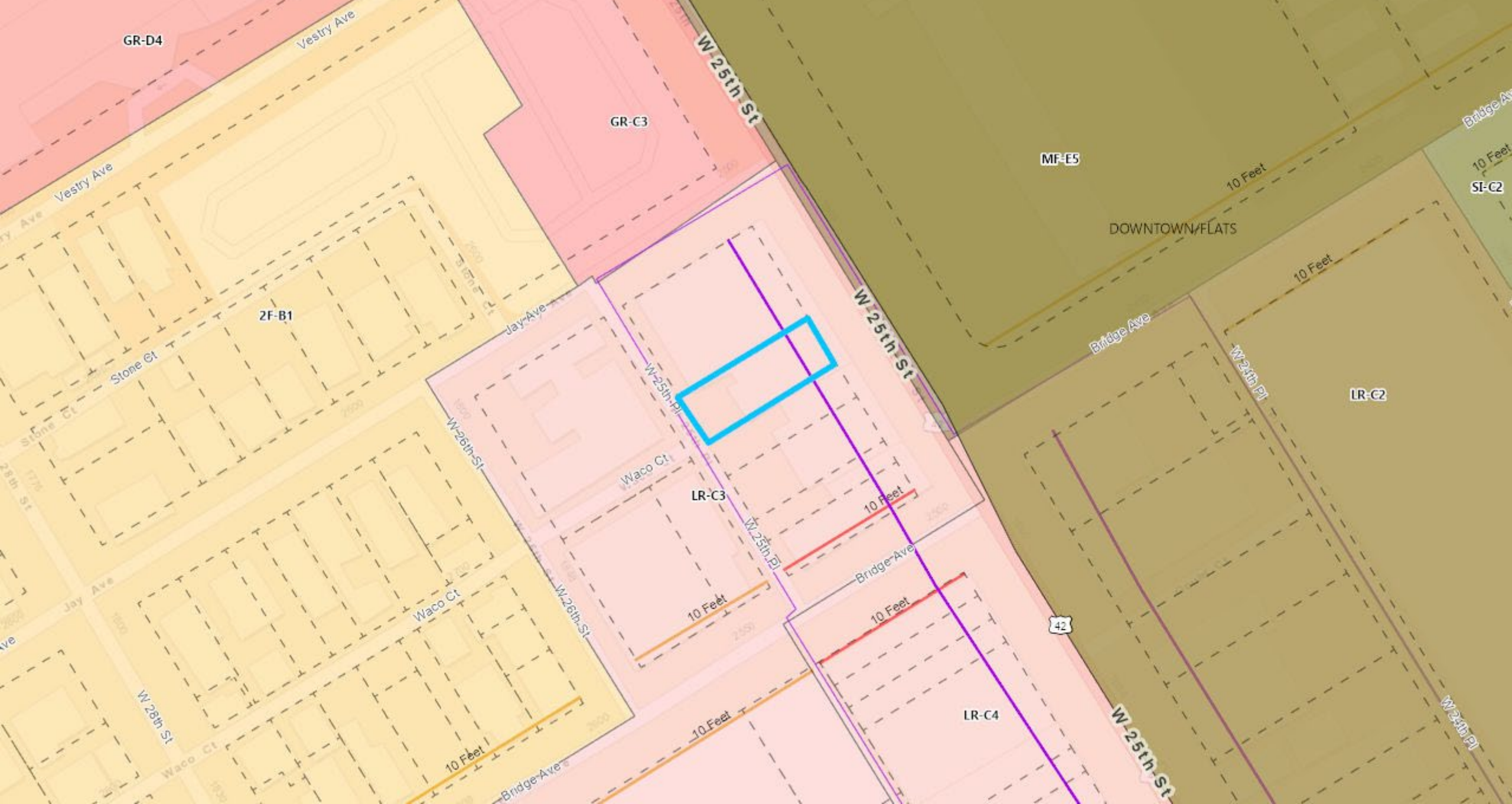


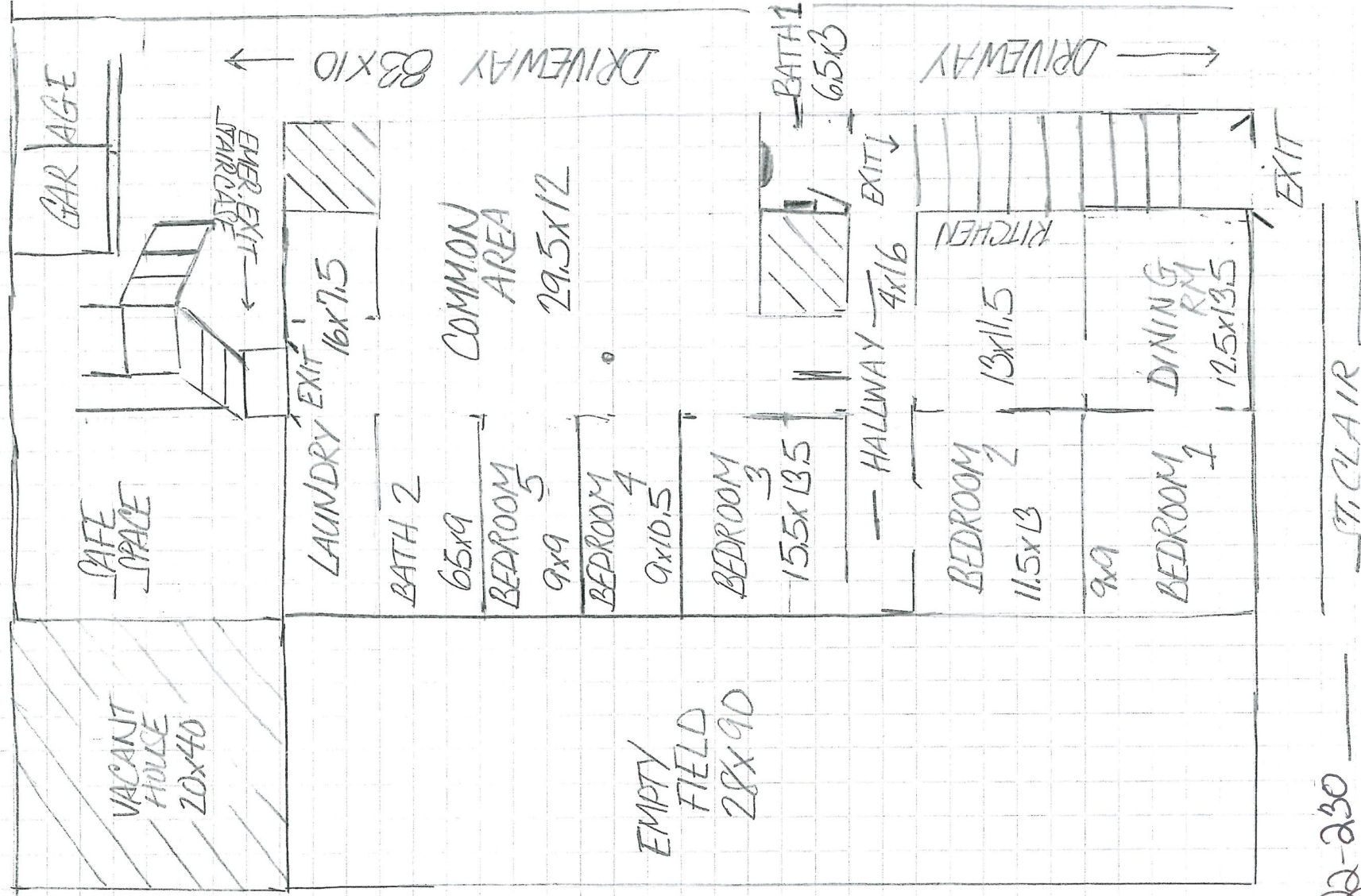
Addison Road

East 66th Street

Saint Clair Avenue (SR 283)

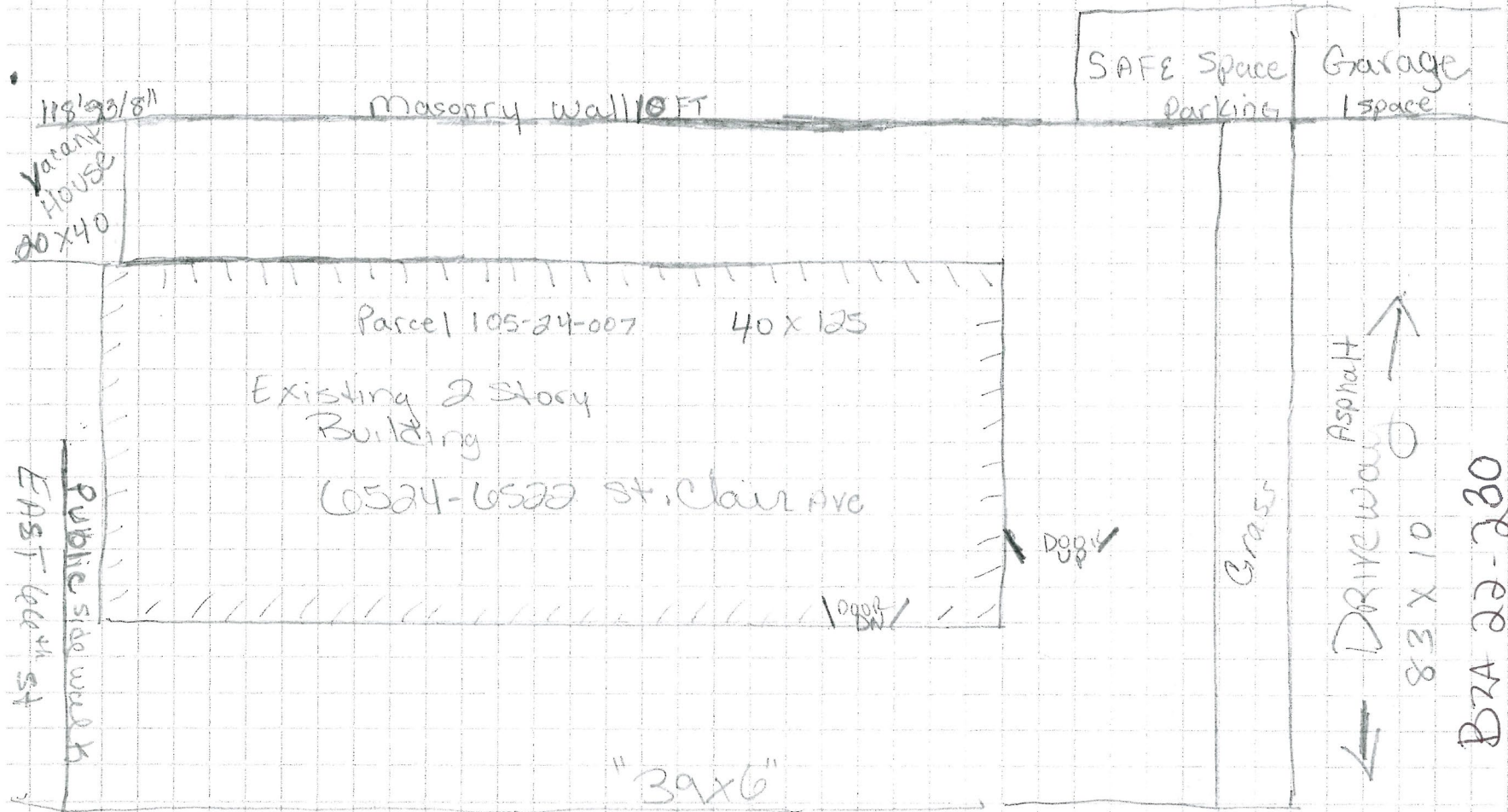
East 66th





FLOOR PLAN FOR 6524 G. CLAIR
"LIFE STEPS"

B2A 22-230 ——— 7. CLAIR ———



Vacant House
20x40

Masonry wall 10 FT

SAFE Space
Parking

Garage
1 space

Parcel 105-24-007 40x125

Existing 2 story
Building

6524-6522 St. Clair Ave

Dog UP

Dog DOWN

Grass

Asphalt
DRIVEWAY
83x10

BZA 22-230

"39x6"

Public side walk
EAST 66th St

Public side walk

ST. Clair Ave

Drain Public Sewer Apron



C.F.B 2.0

WANTS TO HELP THE NORTHEAST OHIO YOUTH & COMMUNITY
WIN

Our goal is to train, certify, and license at risk youth existing the foster care system. We help build their confidence and develop long-lasting relationships that empower them socially and economically; right-course their future and outlook, utilizing the tools within the beauty industry.

A WORKFORCE DEVELOPMENT PROGRAM THAT PROMOTES:



Beauty Industry



Literacy



Self-Reliance



THE NEED

ACCORDING TO NATIONAL FOSTER YOUTH INSTITUTE (NFYI), **MORE THAN 250,000** CHILDREN ARE PLACED INTO THE FOSTER CARE SYSTEM. **MORE THAN 23,000** CHILDREN WILL AGE OUT OF THE US FOSTER CARE SYSTEM EVERY YEAR AT THE AGE OF EIGHTEEN (18).

THE IMPACT OF BEING ABANDONED AT THE YOUNG AGE OF 18-YEASR OF AGE, WITH NO FAMILY, OFTEN TIMES NO CONTINUING EDUCATION, RESOURCES, SUPPORT OR BELONGING TO ANY RESEMBLANCE OF A "FAMILY", CAN BE OVERWHELMING.

HISTORICALLY THESE YOUTH FIND THEMSELVES SUDDENLY THROWN INTO THE WOES OF LIFE AND 'ADULTING' ON THEIR OWN, LEGALLY ADULTS BUT ILL-EQUIPPED TO NAVIGATE A COMPLEX WORLD

THE RESULT: HOMELESS, UNEMPLOYMENT, SUICIDE, AND INCARCERATED.

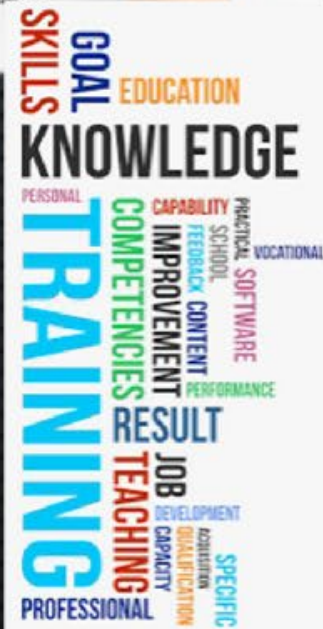


ACCORDING TO BETTER-UP, WORKFORCE DEVELOPMENT IS A PEOPLE-FIRST APPROACH TO UPSKILLING WORKERS FOR LONG-TERM SUCCESS. THE AIM OF WORKFORCE DEVELOPMENT IS TO FOSTER PROSPERITY FOR INDIVIDUALS, COMMUNITIES, AND BUSINESSES.

IN PRACTICE, WORKFORCE DEVELOPMENT MEANS OFFERING YOUR EMPLOYEES TRAINING, DEVELOPMENT OPPORTUNITIES, AND CONTINUING EDUCATION PROGRAMS TO MAXIMIZE THEIR JOB SUCCESS AND CAREER PATHWAY.

WORKFORCE DEVELOPMENT PROGRAMS
ARE A **WIN-WIN** FOR NOT ONLY THE
YOUTH BUT FOR THE COMMUNITY,
SOCIETY AS A WHOLE.

A SOLUTION





OUR CURRICULUM



Beauty Industry
As A Business

Communication
Skills and
Presentation

Financial Literacy
& Money
Management

Relationship
Building &
Networking

Industry
Certifications
& Licensing

Job
Placement

December 29, 2022

Board of Zoning Appeals
City Hall, 601 Lakeside Avenue, Room 516
Cleveland, Ohio 44114

Re: Emancipated Youth Group Home 6522 St. Clair


Dear Board of Zoning Appeals,

I am writing in support of the Emancipated Youth Group Home located at 6522 St. Clair to be opened up. This group home will support females ages seventeen and up in need of additional support by providing several opportunities.

The young people who have been emancipated are leaving foster care and finding themselves in homeless shelters or even left to fend for themselves on the streets. Due to the lack of existing or accessible group homes in Cleveland, these young adults aren't represented with many viable options which makes this women's group home a great benefit for the community. In addition to receiving housing, women will also have access to a variety of resources that will aid in their rehabilitation and socialization. There will be training programs in the salon of Styles of Success for this specific women's group home so that they may obtain licenses as a hair braider, shampoo assistant, or for a boutique. Financial literacy, life skills, secure furnished housing, transportation, job placement, food, weekly housekeeping, all amenities, and many other services will be added to the list of services offered. The residents of this group home can develop a sense of belonging and independence.

I am pleased to support this opportunity in Ward 7. If you have any questions or comments please feel free to contact me through phone (216) 664-2908 or email at showse@clevelandcitycouncil.org.

Thank you,


Councilwoman Stephanie D. Howse

Public Hearing



Calendar No. 22-234:

1822 West 25 Street.

Ward 3

Salena Iwais, proposes to expand existing carry-out pizza restaurant into neighboring storefront to include new bar and sit down dining area in a C3 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 349.04(f) which states that accessory off-street parking for a restaurant is required at the rate of one space per every four seats plus one space per employee. Per section 343.23(i), total required parking in a Pedestrian Retail Overlay District can be reduced by 1/3 therefore 10 spaces are required (Fifteen parking spaces is standard requirement reduced by 1/3) and no parking is provided.



Public Hearing

Calendar No. 22-234:

1822 West 25 Street.

Ward 3



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HISTORY OF THE PROPERTY





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2. Will deprive the Appellant of substantial property rights; and
3. That granting the variance will not be contrary to the purpose and intent of the zoning code.

Calendar No. 22-234:

1822 West 25 Street.

Ward 3

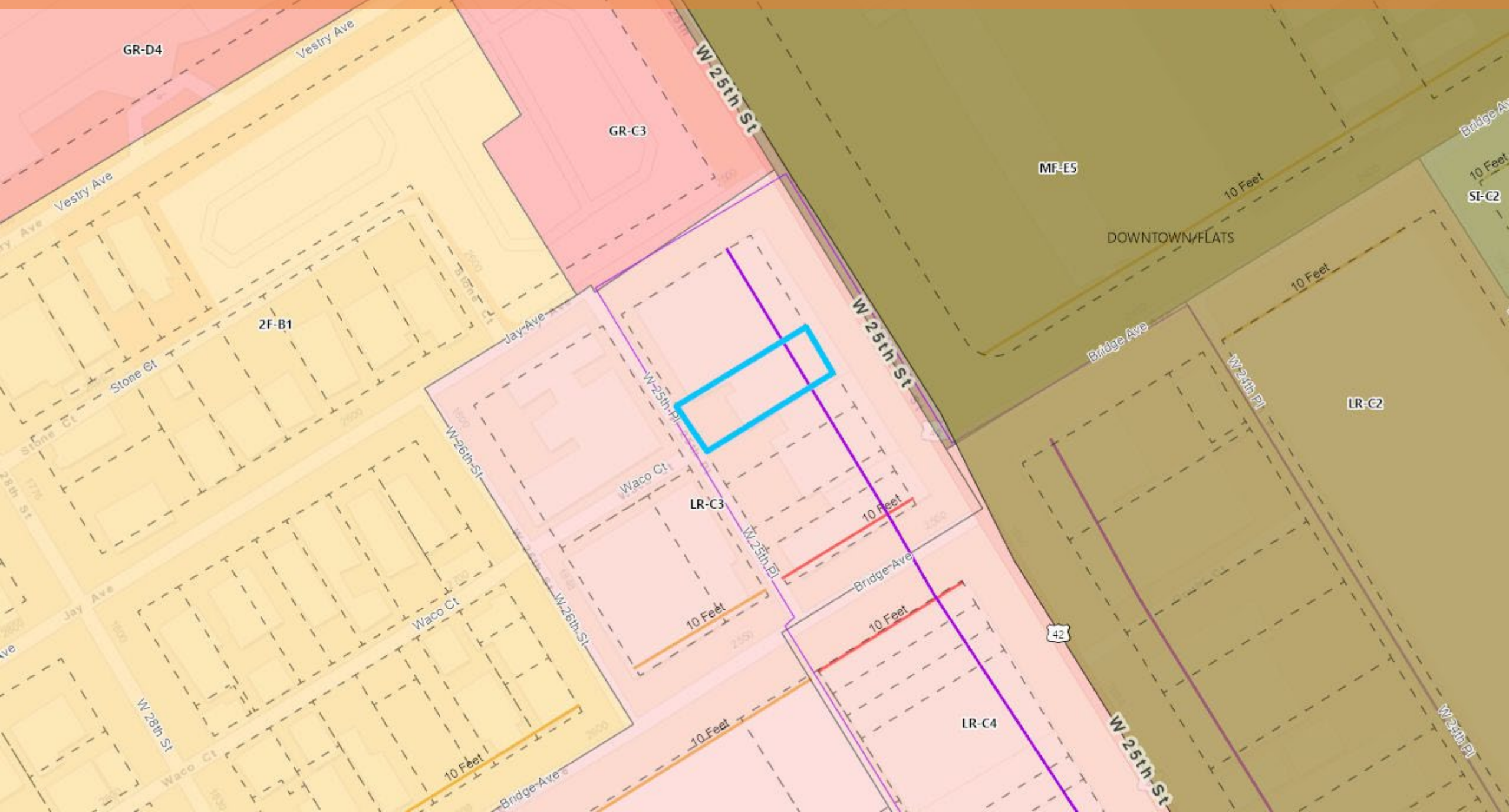


Calendar No. 22-234:

1822 West 25 Street.

Ward 3





PIZZA WHIRL #2

1822 W. 25 STREET
CLEVELAND, OHIO

SCOPE OF WORK

NEW RESTAURANT EXPANSION WITH-IN
AN EXISTING COMMERCIAL LEASE SPACE
WITH-IN AN EXISTING 1-STORY MASONRY BUILDING
APPROX 1,437 SQ. FT. + 1,342 SQ FT = 2,779 SQ FT

DESIGN LIVE LOADS

FLOOR LIVE LOAD = 100 PSF
WIND LIVE LOAD = 115 MPH BASIC WIND SPEED
ROOF LIVE LOAD = 30 PSF

MATERIALS

WOOD shall be southern pine # 2 E= 1,600,000 or douglass fir

BUILDING CODE CLASSIFICATION

CONSTRUCTION CLASS = III b
USE GROUP CLASS = A-2 (ASSEMBLY)

Renovations to this existing structure have been designed
in accordance with the 2017 Ohio Bldg Code & Revisions .

TRIBE ARCHITECTS

ARCHITECTURE & VILLAGE PLANNING
CLEVELAND, OHIO
216-205-5259

EXISTING CARRY-OUT OCCUPANT LOAD = 14-PERSONS @ 100 SQ FT / PERSONS

NEW BAR OCCUPANT LOAD = 38-PERSONS SEATED

OUTDOOR SEATING OCCUPANT LOAD = 12-PERSONS SEATED

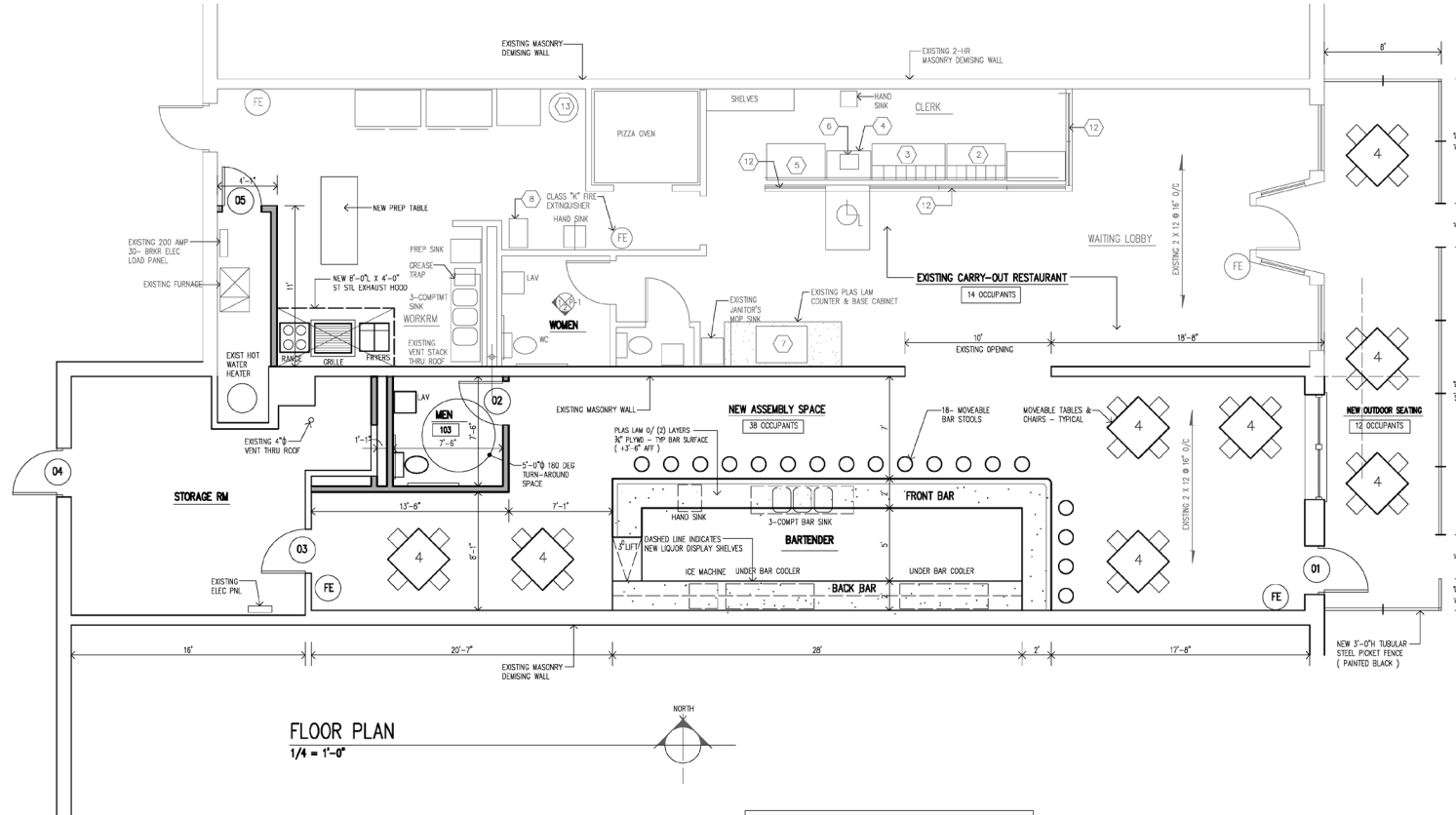
TOTAL OCCUPANT LOAD = 64-PERSONS

CODE SUMMARY

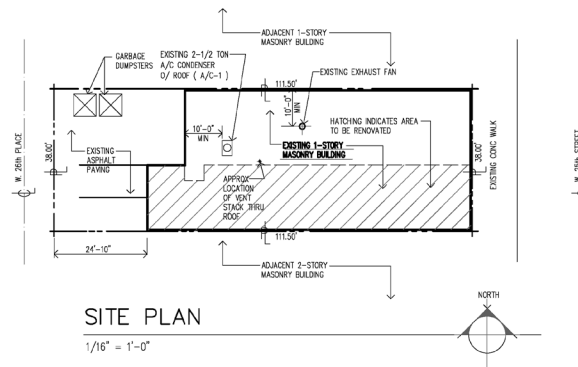
CRITERIA	REQUIREMENTS	OBC 2017 CHAPTER #
EXITS REQUIRED / EXITS PROVIDED	2 REQUIRED / 4 PROVIDED	SECTION 1006.3.1
EGRESS WIDTH REQUIRED 64 PERSONS X 0.2"	24" MIN REQUIRED	SECTION 1005.3.2
EGRESS WIDTH PROVIDED 4-EXIT DOORS X 36"	144" PROVIDED	
TYPE OF CONSTRUCTION	III b .	TABLE 601
USE AND OCCUPANCY	(A-2) Restaurant Assembly	SECTION 303.3
GENERAL BLDG HEIGHTS AND AREAS	40' max / 6,000 SQ FT max	TABLE 506.2 / 504.3
FIRE PROTECTION SYSTEMS	Automatic Sprinklers Req'd when Occupant Load exceeds 100 Persons	SECTION 903.2.1.2 CONDITION #2 & #3
SEPARATE FACILITIES	(2) WC Accessible Toilet Rooms	SECTION 2902.2

MINIMUM NUMBER OF PLUMBING FACILITIES - OCCUPANT LOAD = 64 PERSONS

CLASSIFICATION	GROUP	DESCRIPTION	WATER CLOSETS	LAVATORIES	DRINKING FOUNTAIN	OTHER
ASSEMBLY	A-2	RESTAURANT	1 PER 75 / 1 PER 75	1 PER 200	1 PER 100	1 SERVICE SINK
			(3) WATER CLOSETS PROVIDED	(3) LAVATORIES PROVIDED	NOT REQUIRED WHERE WATER IS SERVED	(2) SERVICE SINKS PROVIDED



FLOOR PLAN
1/4" = 1'-0"



SITE PLAN
1/16" = 1'-0"

POSTING OF OCCUPANT LOAD

EVERY ROOM OR SPACE THAT IS AN ASSEMBLY OCCUPANCY SHALL
HAVE THE OCCUPANT LOAD OF THE ROOM OR SPACE
POSTED IN A CONSPICUOUS PLACE, NEAR MAIN
EXIT OR EXIT ACCESS DOORWAY FROM THE ROOM OR SPACE.

WALL TYPES

---	EXISTING WALL TO REMAIN
---	NEW 1/2" GYP BD O/
---	EACH SIDE OF NEW
---	2 X 4 WOOD OR METAL STUDS
---	@ 16" O/C = PAINT
---	(UNLESS NOTED AS 5/8" GYP BD)
---	(UL DES 8 USOS : 5/8" GYP BD
---	O/ EACH SIDE OF NEW OR EXISTING 2 X 4 WOOD STUDS)
---	EXISTING WALL TO BE DEMOLISHED

- BUILT-IN FURNISHINGS FOR HC ACCESSIBILITY:
1. TABLE HGT = 34" MAX, 28" MIN
 2. KNEE CLEARANCE = 27" MIN (FROM FLOOR TO BOTTOM OF TABLE SURFACE)
 3. CLEAR FLOOR AREA = 30" X 48" MIN
 4. KNEE CLEARANCE EXTENDS AT LEAST 18" UNDER THE TABLE

FIRE EXTINGUISHER NOTE

1. FIRE EXTINGUISHERS SHALL BE PROVIDED @ ALL EXITS.
 2. FIRE EXTINGUISHERS SHALL BE BRACKET MTD.
 3. SURFACE MTD AS INFO BY " ALL INDUSTRIES "
 4. AMEREX " OR APPROVED EQUAL, 2-A MIN RATED TO FOUND NOMINAL CAPACITY, DRY CHEMICAL FOR CLASS A FIRE HAZARDS, LIGHT (LOW) HAZARD OCCUPANCY
- GENERAL CONTRACTOR SHALL COORDINATE LOCATIONS OF FIRE EXTINGUISHERS IN THE FIELD WITH CLEVELAND FIRE DEPARTMENT

REVISIONS

TRIBE ARCHITECTS
1300 E. 187th STREET
CLEVELAND, OHIO 44110
216-778-1300
EMAIL : deryl.mccord@gmail.com

PIZZA WHIRL #2
1822 W.25th STREET
CLEVELAND, OHIO

KEY PLAN / FLOOR PLAN

DATE : 11-10-22
SCALE: 1/4"=1'-0"
DRAWN BY: H.E.J.R.

CHECKED: D.M.
A-1

SHT 1 OF 2

Calendar No. 22-234: 1822 West 25 Street
Bridge/Carroll/Jay Block Club <bridgecarrolljay@gmail.com>
Fri 1/6/2023 7:15 AM

Members of the Board of Zoning Appeals,

Through email on January 3, I informed the Block Club that encompasses this property about the above-referenced parking variance request, and 271 recipients opened the message (though their residencies are unverified) as of this morning. In my email, I notified the members of the opportunity to testify before the Board through WebEx. Or, as an alternative, I invited them to provide feedback through me for your consideration.

While we would appreciate greater lead time to accommodate a Block Club meeting to discuss variance appeals in the future, none of the responses to my email requested that the Board postpone this matter. Instead, the responses to my email favored granting the variance.

Though these comments do not represent support of the Block Club itself, I submit the following comments received to date from the neighbors known to me as residing in the vicinity of this project:

PIZZA WHIRL PARKING VARIANCE

FEEDBACK FROM BRIDGE CARROLL JAY BLOCK CLUB

- I support their request for a parking variance.
- I support this request for variance, thanks for sharing Mark. Let us know how we can help...
- They’ve been a good member of the community for years. They shouldn’t be hassled about parking requirements.
- Since the City does nothing to limit parking for anything any more and seems to pay no attention to laws that stand, I'm fine w this variance for Pizza Whirl and feel if BOZA denies it. it would be punitive to this business when there's certainly not enough parking for the restaurants where cars and their occupants stay for far longer periods of parking than they ever would for Pizza Whirl.
- I live on that block and assume they intend to take over the old law office? That would be a great expansion and as someone directly (or maybe like 50 feet diagonally) affected by this issue, I fully support the variance. While our current surface lot behind that building is already pretty full during peak evening hours, I don't think that allowing this variance would drastically impact that situation. W. 25th would benefit from the expansion of a late-night dining option that is not a traditional bar with early kitchen closing times. I'd also love to see a very obviously family-run business continue to grow and improve in our neighborhood. Especially because their affordability separates them from many other restaurants in the area.
- I hope this is helpful in rendering a decision on the application. Thank you for your consideration and service to the City of Cleveland and its citizens.

Sincerely,
--
Mark Musson
Grand Poobah, Bridge/Carroll/Jay Block Club

Cleveland Board of Zoning Appeals

Old Business



Public Hearing



1. Cal. No. 22-115:	1200 West 76 St.	(TB,AF,NH,PR) <i>will be ready next week</i>
2. Cal. No. 22-182:	1116 Auburn Ave.	(TB,AF,NH,PR)*
3. Cal. No. 22-217:	2267 W. 30th St	(TB, AF, NH,PR)
4. Cal. No. 22-218:	2545 Lorain Ave.	(TB,AF,NH,PR)
5. Cal. No. 22-221:	6104-08 Madison Ave.	(TB,AF,NH,PR)~
6. Cal. No. 22-222:	8605 Detroit Ave.	(TB,AF,NH,PR)
7. Cal. No. 22-223:	3105 Franklin Blvd.	(TB,AF,NH,PR)
8. Cal. No. 22-206:	2017 West 44 th St.	(KB,TB,AF,NH,PR)*
9. Cal. No. 22-208:	2458 Tremont Ave.	(KB,TB,AF,NH, PR)
10. Cal. No. 22-180:	3140 West 25 St.	(KB,TB,AF,NH,PR)*
11. Cal. No. 22-186:	17426 Harvard Rd.	(KB,TB,AF,NH,PR)*
12. Cal. No. 22-191:	1331 West 70 St.	(KB,AF,NH, PR)*
13. Cal. No. 22-184:	1209 Clark Ave.,	(AF,TB,NH,PR)*
14. Cal. No. 22-018:	4420 East 156 St.	(KB,TB,AF,MB)* REMINDER SENT
15. Cal. No. 22-035:	5807 Detroit Ave.	(KB,TB,AF, MB)*** req. rules sent
16. Cal. No. 22-022:	1010 E. 146 St.	(KB, TB, AF, MB) REMINDER SENT
17. Cal. No. 22-41:	1453 W. 116 St.	(KB, TB, AF, MB)* REMINDER SENT
18. Cal. No. 21-203:	8502 Hough Ave.	(KB, TB, AF, MB)* REMINDER SENT
19. Cal. No. 21-202:	5001 Memphis	(KB, MB,. AF)* REMINDER SENT
20. Cal. No. 21-177:	18403 Euclid Ave.	(KB, MB, AF)* REMINDER SENT
21. Cal. No. 21-091:	4157 Lorain Ave.	(D,KB,AF,MB)* REMINDER SENT

AFFIRMATION: none

UPCOMING POSTPONEMENT: NONE

MISC- None.

- ~ Items received
- * Pending the receipt of requested information by the Board.
- *** Request for Rehearing/Reconsideration.

Cleveland Board of Zoning Appeals

Adjournment

